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JOURNALS OF THE HOUSE OF REPRESENTATIVES
OF MASSACHUSETTS

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Committee of Publication

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J O U R N A L S

of the

House of Representatives
of Massachusetts

1757

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Introduction

IN terms of the number of those whom it touches, a small war is often total war. But it was no small war Massachusetts was still waging in the spring of 1757, along with other of Britain's mainland colonies in the New World. Americans called it the French and Indian War, Europeans called it the Seven Years' War, but whatever its name, it touched the fabric of society at every point in the Bay Province, as the legislative record that follows readily demonstrates.

By way of example, here are petitions from the quick and the dead (or their survivors) among the soldier-citizenry—from those overlooked in payroll vouchers and those forgetful of weapons, from those anxious to capitalize on their service and those fearful of it. It is a varied record, varying as men vary, and thus including all shades between the craven and the brave.

Here, too, are privates and generals, plain citizens and titled lords, each somehow caught up in the struggle. Occasionally a peer and a commander were the same person, as was John Campbell, Earl of Loudoun, the new commander in chief of British forces in North America. In January of 1757 Loudoun met the New England war commissioners in Boston, where citizens were impressed but did not gape: William Shirley, their former governor, had also held Loudoun's job earlier. Even so, no one overlooked Loudoun's presence in the provincial capital or what it betokened. Across a wide ocean in the capital of the British empire, Province Agent William Bollan sent home his reports from London. The burden of his communications was the war and its conduct. In short, war was everywhere a fact of province life in the Massachusetts of early 1757.

But conflict could not and did not erase the need for life to go on. And so a Boston member of the House of Representatives could go virtually unchastened for his defiance of its Speaker, a wife could divorce her husband, prospective tavern keepers apply for licenses, merchants go bankrupt, smallpox erupt, and so on and on through the exciting and exhausting catalogue of human activity. For those who will read closely the pages ahead, there was drama abroad in the land of the Bay Province in those first months of 1757. Being a record of life, those pages necessarily swarm with life, albeit in prose now archaic and formal.

The text of this volume is a photographic synthesis produced from copies of the original journal now in the possession of the American Antiquarian Society, Houghton Library of Harvard University, and the Massachusetts Historical Society. Gratefully, the last-named organization here records its warm thanks to its kindred institutions. Throughout the preparation of this volume I have

had the willing and competent help of Miss Charlotte J. Bustin, a member of the staff of the Massachusetts Historical Society. I am grateful for her assistance, as I am also for that of Mr. Leo Flaherty, Principal Archives Assistant in the Massachusetts Archives, who was always able to solve the many insoluble problems which this volume seemed to evoke.

MALCOLM FREIBERG
Editor of Publications

Boston, Massachusetts
January 5, 1960

A

JOURNAL

Of the Honourable House of

REPRESENTATIVES,

At a Great and General Court or Assembly for his Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and held at *Boston* in the County of *Suffolk*, upon Wednesday the twenty-sixth Day of *May* Anno Domini, 1756. And from thence continued by fundry Prorogations to the sixth Day of *January* following, and then met at *Boston* aforesaid, being the fifth Session of said Court.

Quorum of the House being present, Ordered, That
 Col. *Cotton*, Col. *White*, Mr. *Witt*, Mr. *Heath*, and Col.
 A *Bradford*, be a Committee to wait on His Honour
 the Lieut. Governour, and acquaint him, that a
 Quorum of the House are now met, and ready to
 proceed to the Business of the Session, as soon as his Honour
 pleases.

Quorum of
the House
met.

Who returned, that they had delivered the Message.

Mr. Secretary *Oliver*, came down with the following Message
 from his Honour the Lieut. Governour, viz.

Message
from his
Honour.

Mr. Speaker, His Honour the Lieut. Governour directs the
 Attendance of this honourable House in the Council Chamber.

Mr. Speaker, with the House, attended accordingly: When
 His Honour was pleas'd to make a SPEECH to both Houses; of
 which Mr. Speaker obtain'd a Copy: And then Mr. Speaker,
 with the House, return'd to their own Chamber.

His Honour's SPEECH is as follows, viz.

Gentlemen of the Council, and House of Representatives,

THE Forces which were in the Pay of this Government, for
 " the Service of the late Expedition, being returned Home,
 " and many of them, no Doubt, being in necessitous Circumstan-
 " ces, the first Thing I have to recommend to your Considera-

His Honor's
Speech to
both Houses.

“ tion, in the present Sessions, is, a Method of providing for the
 “ speedy Payment of their Wages.

“ The Gentlemen sent by the Court to wait on his Excellency
 “ the Earl of Loudoun at *Albany*, and to solicit his Lordship to
 “ Advance a Sum of Money for the Service of the Province, are
 “ returned, and have made Report to me, that altho’ his Lord-
 “ ship treated them with great Condescension and Goodness, and
 “ as they were well assured, was zealously disposed to promote
 “ the Interest of the Colonies, yet he gave them no Encourage-
 “ ment to expect the Advance of any Monies, but on the contrary,
 “ was pleased to acquaint them, that the Support of the Regular
 “ Forces would call for all the public Money, that was then in
 “ the Treasury, and that his Compliance with the Desire of the
 “ Province must therefore greatly prejudice his Majesty’s Service.

“ There seems to be no Way left, in the present Emergency,
 “ but to make Use of your Credit to the utmost, in order to ob-
 “ tain such a Supply as is requisite, and humbly to rely on his Ma-
 “ jesty’s Favour to the Province ; the Measures for obtaining
 “ whereof, gone into by the Council in the Recess of the Court,
 “ I shall order to be communicated to you.

“ I must therefore recommend to you, *Gentlemen of the House*
 “ *of Representatives*, the immediate Consideration of this Affair,
 “ and must desire, that you would let no other Business hinder
 “ you from completing it, lest a Failure in your Engagements
 “ now, should destroy that Confidence, which is necessary in or-
 “ der to encourage our People to further Service.

“ The other Charges of Government must likewise, in proper
 “ Time, be provided for, in the best Manner you can ; in order
 “ to which, the State of the Treasury, and an Estimate of the
 “ Sums necessary to be supplied, shall be laid before you. It has
 “ been much for the Honour of the Government, that the sever-
 “ al Assemblies, since the Change of the Currency, have been
 “ careful to preserve the public Credit ; and I have no Reason
 “ to doubt of your being as well disposed as any of them.

Gentlemen of the Council, and House of Representatives,

“ I am very sorry that I am obliged, again to desire you to
 “ take some speedy and effectual Measures, for putting an End to
 “ the unhappy Controversy about the Line between this Pro-
 “ vince, and that of *New-York*.

“ I shall cause to be laid before you, a Letter which I have
 “ received from his Excellency Governor HARDY. By this Let-
 “ ter, and the Papers which accompanied it, you will perceive
 “ that a Man has been killed in a late Fray, which has happened
 “ on the Borders, by an Indian said to belong to *Sheffield*, the
 “ Particulars of which Affair have not come to my Knowledge
 “ in any other Way.

“ I desire you to consider well where the Blame lies, and whe-
 “ ther something is not necessary to be done on your Part, that
 “ has

“ has not been done : This is the second Person who has
 “ lost his Life, by Means of this unfortunate Dispute.

“ The Earl of *Loudoun* continues his Intention of spending
 “ some Time this Winter in the Province, and of meeting Com-
 “ missioners here, from this and the other Governments of *New-*
 “ *England*.

“ And by a Letter, which I had the Honour to receive from
 “ his Lordship, of the 22d *December*, I expect he will be in Town
 “ the 13th Instant.

“ As this is the Session when the General Business of the Pro-
 “ vince for the Year is transacted, I desire you to apply your-
 “ selves to it with Diligence, that you may be more at Leisure,
 “ after his Lordship's Arrival, to attend the particular Affairs,
 “ which Occasion his Visit to us.

“ You may be assured, *Gentlemen*, That I shall concur with
 “ you in every Thing, that may be Advantageous to the Province.

Council Chamber

S. P H I P S.

Jan. 6. 1757.

His Honour's SPEECH foregoing was read ; and
Ordered, That the same be taken under Consideration, to Mor-
 row Morning ten o'Clock.

Mr. Secretary *Oliver* brought down sundry Letters & Papers, Letters bro't
 referred to in his Honour's SPEECH ; which were read : And down, &c.

Ordered, That Mr. *Welles*, Mr. *Gridley*, Col. *Otis*, Col. *Wor-*
thington, and Judge *Russell*, with such as the honourable Board
 shall join, be a Committee to take under Consideration a Letter
 from his Excellency Sir CHARLES HARDY, Governour of *New-*
York, to his Honour the Lieut. Governour, dated the 19th *Dec.*
 last, and the Papers accompanying the same, and Report as soon
 as may be, what they judge proper for this Court to do thereon.

Sent up for Concurrence.

Mr. Speaker communicated to the House sundry Letters he Letters
 had received in the Recess of the Court from Mr. Agent *Bollan*, from Mr.
 dated *Lisle-Street*, Sept. 24th and *October* 15th 1756. Which Agent *Bollan*
 were read. read.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Veneris 7. Die Januarii, A. D. 1757.

A Petition of the Assessors of the South-Precinct in the District Petition of
 of *Danvers* in the County of *Essex*, setting forth, that by Assessors of
 Reason of some Illegality in the Form of their Warrants, the *Danvers*.
 Collectors of the Precinct-Taxes for the Years 1754 & 1755, have not
 been able to finish their Collections from such of the Inhabitants
 as were unwilling to pay the Sum assessed on them ; and praying
 that they may be legally impowred to compleat their several Col-
 lections : Also

A

Petition of
Abigail
Brown.

A Petition of *Abigail Brown* of *Salem* in said County, Widow, and Guardian to two of the Children of *Wm. Brown*, late of said Town deceased; praying for Liberty to make Sale of said Minors Interest, being a fourth Part of one Moiety of an old House in said Town, and small Strip of Land adjoining, lying in Common and undivided with the other Owners, it being apprehended most for the Benefit of said Minors, as the Premises are incapable of a Division: Read; and

Ordered, That Col. *Cotton*, *Thomas Foster*, Esq; and Col. *White*, be a Committee to take the said Petitions under Consideration, and report what they judge proper should be done thereon.

Petition of
Benj. Procter.

A Petition of *Benjamin Procter* of *Boston*, in the County of *Suffolk*, setting forth, that by Reason of Failure in his Business as a Tanner, and the Infirmities he labours under, he is much reduced in his Estate, and under Difficulties for a Support, and praying for Liberty to Retail spirituous Liquors, in said Town, in an House which for several Years has been improved for that Purpose, and which he has lately hired with an Intent to carry on said Business in. Also,

Petition of
Benj. & John
Waldo.

A Petition of *Benjamin* and *John Waldo* of said Town, Distillers, setting forth, that they have lately purchased a Distil-House belonging to the Estate of *John Fillebrown*, deceased, situated in said Town, where they now carry on the Business of Distilling Rum, and praying that they may be licenced as Retailers of spirituous Liquors in said Place.

Read and *Ordered*, That the Members for the Town of *Boston* be a Committee to consider the said Petitions, and Report thereon.

Memorial of
Jer. Powell,
Esq;

A Memorial of *Jeremiah Powell* of *North-Yarmouth* in the County of *York*, Esq; shewing, that he being appointed Agent for the first Precinct in said Town, to make Answer to a Petition of the second Precinct, as entred the 13th of *October* last, was on his Passage cast on Shore, and lost all his Papers relative to said Affair, whereby he is rendred unable to act in their Behalf; and praying that the Consideration of said Petition may be referred, till he shall have an Opportunity of furnishing himself with the proper Papers again.

Read and *Ordered*, That the Consideration of the Petition of the second Precinct in *North-Yarmouth*, mentioned in this Memorial, be referred to the next Sitting of this Court.

Sent up for Concurrence.

Petition of
Capt. Daniel
Burt.

A Petition of *Daniel Burt*, Captain of a Company in the Expedition against *Crown-Point*, in 1755, praying for an Allowance of his Expences for Doctor and Nursing, for the Space of nine Weeks after his return Home; also that a Mistake in stopping 40s. out of the Wages of one *Gideon Dimock*, for a Gun supposed to have been received by him, may be rectified; and he allowed to receive the said Sum out of the public Treasury.

Read and *Ordered*, That this Petition be committed to the Committee formerly appointed on Petitions from sick & wounded Soldiers, to consider and report thereon.

A Petition of *Thomas Cushing* of *Boston* in the County of *Suffolk*, Merchant, setting forth, that by Virtue of his Father's last Will and Testament, he was entitled to two Thirds, and his Brother *Edward* (since deceased) to one third Part of sundry Percels of Land ; that his said Brother devised three quarter Parts of his Share to his Sister, and one Quarter to the Petitioner's Children ; that the said Lands being chiefly in small Tracts and mostly uncultivated, is unsuitable for a Division ; and he & his said Sister being desirous of selling the same, are prevented by his Children's being interested therein ; therefore praying he may be impowred to sell their said Part in the Premises, he giving Security to be accountable for the Produce thereof, as they shall come of Age.

Petition of
Tho. Cushing.

Read and Ordered, That this Petition be committed to Capt. *Newhall*, *Caleb Cushing*, Esq; and Mr. *Lyman*, to consider and report what they judge proper for this Court to do thereon.

According to the Order of the Day, His Honour's SPEECH of Yesterday was read again, Paragraph by Paragraph ; and thereupon,

Orders on
Part of his
Honour's
Speech.

Ordered, That Mr. Speaker, Mr. *Flucker*, Mr. *Gridley*, Col. *Clap*, and Col. *Otis*, be a Committee to take into Consideration that Part of his Honour's SPEECH, relating to the Pay of the Wages of the Forces employed by the Province in the last Expedition against *Crown-Point*, and Report thereon. Also

Ordered, That Col. *Otis*, Mr. *Gridley*, and Mr. *Welles*, with such as the honourable Board shall join, be a Committee to consider of some proper Method for the Reception of his Excellency the Earl of *Loudoun* on his Arrival here, and Report thereon.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Mr. Speaker, Col. *Cotton*, Mr. *Welles*, Mr. *Flucker*, and *Stephen Hall*, Esq; with such as the honourable Board shall join, be a Committee to examine the Accounts of Provisions and War-like Stores, for the late *Crown-Point* Expedition, which have already been forwarded to Mr. Agent *Bollan*, and to Report what they judge proper to be further done for procuring a Reimbursement of the Province for the said Charges.

Committee
to take an
Account of [Account]
Provisions
&c.

Sent up for Concurrence.

Ordered, That Col. *White*, Col. *Lawrence*, Mr. *Witt*, Col. *Otis*, Mr. *Staniford*, Mr. *Lyman*, and Capt. *Richardson*, be a Committee to consider of some proper Method for making up the Muster-Rolls of the Forces employed in the last Expedition against *Crown-Point*, in as just a Manner as may be, and Report thereon ; also that the said Committee be and hereby are impowred to send for Persons and Papers.

Committee
relating to
making up
Muster Rolls

Whereas it has been represented to this House, that there have been divers Deceits and Frauds committed in raising the Men, on the Part of this Province, for the last intended Expedition against *Crown-Point*, whereby several Deficiencies have happened, to the great Injury of the Government : Therefore,

Vote relating to Deficiency in the late raising of Men. [Deficiency]

S f f

Voted,

Voted, That Mr. Gridley, Mr. Welles, Col. Jones, Judge Russell, and Mr. Flucker, with such as the honourable Board shall join, be a Committee to enquire into the Reasons of those Deficiencies ; and also of any Frauds and Deceits that have been used in raising said Forces ; and that the Committee be, and hereby are impowred to send for any Persons or Papers they think proper, relative to the Premisses. Sent up for Concurrence.

Petition of John Savage. A Petition of John Savage of Concord in the County of Middlesex, praying an Allowance of his Expences in his Sickness whilst employed as a Soldier in the last Crown-Point Expedition, and on his return Home, agreeable to his Account exhibited.

Read and Ordered, That this Petition lie on the Table.

Petition of Select-Men &c. of the late District of Carlisle. A Petition of the Select-Men and Assessors of that Part of Concord, lately the District of Carlisle, in the County of Middlesex, setting forth, that they stand indebted to several Persons, the Accounts whereof remain unsettled ; and praying that their late Assessors may be impowred to assess the said Inhabitants, and commit the Rates to the last chosen Constables, to be by them collected and paid in to their Treasury, and that the Constables who have not finished their Collections may be impowred and obliged to collect and pay in their Arrearages, in order to the discharging of their said Debts.

Read and Ordered, That Col. Clap, Col. Buckminster, and Mr. Merrill, be a Committee, to prepare the Draught of a proper Vote to be passed thereon by this Court, and Report.

Petition of Daniel Sergeant bro't down. James Minot, Esq; brought down a Petition of Daniel Sergeant of Gloucester, Merchant, praying for Liberty to export a small Quantity of Corn to the Island of Barbadoes. Pass'd in Council, viz. In Council January 7th 1757. Read and Ordered, That the Prayer of this Petition be granted ; and that the Petitioner be allowed to export the 250 Bushels of Corn above-mentioned, to the Island of Barbadoes, he giving Bond in One Thousand Pounds Sterling, to Land the said Corn in the Island of Barbadoes afore-said ; and the Commissioner of Impost is hereby impowred and directed to take the said Bond, which shall be cancelled on the Petitioner's producing a Certificate from the principal Officer of the Customs of the said Island, that the said Corn was bona fide Landed and disposed of there. Sent down for Concurrence.

Read and concur'd.

Committee for a Resolve relating to Petit Jurors, &c. On a Motion made and seconded, Ordered, That Col. Clap, Col. White, and Mr. Flucker, be a Committee to prepare the Draught of a Resolve to be passed by this Court, relating to the Choice of Petit Jurors in the Town of Boston, or any other Places where they have not followed the Rules of the Law lately pass'd respecting the Manner of chusing said Jurors, and Report thereon. Also

Ordered, That Col. Clap, Mr. Gibbs of Newton, and Col. Miller, with such as the honourable Board shall join, be a Committee to examine the Act lately passed this Court, for providing and maintaining

taining two Armed Vessels to Guard the Coast &c. and Report what Defects they find therein, and what they judge proper to be done for Remedying the same.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Col. *Otis*, Committee for Enquiry relating to Persons visited with the Small-Pox. *Thomas Foster*, Esq; and Mr. *Heath*, be a Committee to enquire into the Circumstances of Persons said to have the Small-Pox at *Castle-William* or elsewhere, and of those who may be suspected to be infected with the said Distemper, and Report what they judge proper for this Court to do thereon.

Post Meridiem.

The Committee appointed to consider the Petition of the Assessors of the District of *Danvers*, Reported thereon. Report on Petition of the Assessors of Danvers.

Read and accepted, and *Ordered*, That the present Assessors of the South-Precinct in the District of *Danvers* be, and hereby are, impowered and directed, to issue new Warrants in due Form of Law to the Collectors of said Precinct, to whom the Taxes were committed for the Years 1754 & 1755, to compleat their said Collections, and pay in the same into the Precinct-Treasury; and that the said Collectors Proceedings on their former Warrants are hereby confirmed, any supposed Defect in said Warrants notwithstanding.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Report of the Committee of both Houses, appointed to consider of some proper Method for the Reception of the Right Honourable the Earl of *Loudoun*. Report of a Committee relating to the Reception of the Earl of Loudoun brought down.

Signed *John Osborne*, per Order.

In Council *January* 7th 1757. Read and sent down.

Read and accepted; and *Ordered*, That Mr. Speaker, Col. *Otis*, Col. *Cotton*, Mr. *Flucker*, Col. *Clap*, Mr. *Gridley*, Col. *White*, Mr. *Welles*, *Thomas Foster*, Esq; Col. *Miller*, and Col. *Quincy*, with such as the honourable Board shall join, be a Committee for the several Purposes mentioned.

Sent up for Concurrence.

A Petition of *Hannah Pecker* of *Haverhill* in the County of *Essex*, Widow, setting forth, that her late Husband *John Pecker*, Petition of Hannah Pecker. deceased, was for many Years, a licenced Person in the House where she now dwells, said House being commodiously situated for a Tavern; and praying she may be allowed to carry on said Business there, in the same Manner, as was done by her late Husband.

Read and *Ordered*, That the Prayer of this Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, be, and hereby are, impowred to grant the Petitioner a Licence (if they see fit) at their next Term, to keep an House of public Entertainment in the Town of *Haverhill*, she first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Joseph

Petition of
Benj. & Edw.
Davis, bro't
down.

Joseph Pynchon, Esq; brought down a Petition of *Benjamin and Edward Davis* of *Boston*, Merchants, praying for Liberty to export fifty Barrels of Beef to the Island of *Antigua*, on Board a Vessel they are now Lading for that Port. Pass'd in Council, viz. In Council *January 7th 1757*. Read and Ordered, That the Prayer of this Petition be granted; and that the Petitioners be, and hereby are, allowed to transport the Beef above-mentioned, they giving Bond to the Commissioner of Impost in the Sum of *One Thousand Pounds Sterling*, to Land the said Beef in the Island of *Antigua* aforesaid; and upon producing a Certificate from the principal Officer of the Customs of the said Island of *Antigua*, that the said Beef has *boná fide* been Landed and disposed of there, the said Bond to be cancelled.

Sent down for Concurrence. Read and concur'd.

[of]

Order relating to
Thomas Morton.

On a Motion made by the Members or the Town of *Boston*, relating to *Thomas Morton*, who was lately seized with the Small-Pox in said Town, and removed to the Hospital on *Rainsford's-Island*:

Ordered, That *Col. Clap*, *Thomas Foster*, Esq; and *Col. Jones*, be a Committee to take under Consideration the Circumstances of the said Affair, and the Account of Charges arisen thereby, and Report what they judge proper for this Court to do thereon.

Order relating to
Capt. Strout.

It being represented to the House that one Capt. Strout in a Vessel lately from Albany, has in a very unjustifiable Manner, spread the Small-Pox at sundry Places on the Back of the Cape, by Landing a Person sick of that Distemper, and otherwise;

Ordered, That *Col. Quincy*, *Col. Otis*, and *Col. Bradford*, with such as the honourable Board shall join, be a Committee to examine into the said Affair, and Report what they judge proper for this Court to do thereon. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbati 8. Die Januarii, A. D. 1757.

Report on
Petitions of
sick and
wounded

THE Committee appointed on Petitions from sick and wounded Soldiers, Reported on sundry of said Petitions; which were read, and the Reports accepted, and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to *Capt. Joshua Hutchins* for the Use of *Timothy Bancroft*, 36s. for the Use of *Thomas Wetherbee* 32s. 6d. and for the Use of *Samuel Poole* 36s. 4d.; to *Mr. Josiah Pierce* for the Use of *Jonathan Moody* 25s. 4d. and for the Use of *Robert King* £. 6; to *Capt. Jabez Upham* for the Use of *Joseph Foster* 56s; and for the Use of *Uriah Gilbert* £. 3 16s. 1d. to *Eldad Taylor*, Esq; for the Use of *Eldad Palmer* 31s. 11d. to *Capt. Ithamar Hubbell* for the Use of *William Drake* 34s. to *William Richardson*, Esq; for the Use of *Joseph Wooley* £. 3; to *Josiah Johnson*, Esq; for the Use of *James Tomson* £. 3 7s. 5d; to *Mr. Samuel King* for the Use of *Adonijah*

Adonijah Russell, Jun, £. 3. to Capt. *John Brown* for the Use of *John Crowle* 18s. 10s. and to Mr. *Eliphalet Whiting* for the Use of *Robert Cook* 6s. being in full Consideration of the Expences mentioned in their respective Petitions. Sent up for Concurrence.

The said Committee also Reported on the Petitions of *John Dalhonde*, *David Perry*, *Bradstreet Spafford*, and *Mary Fabins*. Report on Petitions of *John Dalhonde*, &c.

Read and Ordered, That the said Petitions be dismissed accordingly.

A Memorial of *William Thorne* of a Place called *Topsham*, in the County of *York*, setting forth, that being a Soldier in his Majesty's Service in 1748, he received a Wound from the Enemy, which occasioned the entire Loss of one of his Arms, in Consideration whereof he had an Allowance made him some Years since, but has received nothing for the Space of six Years past; and praying for such further Allowance, under his difficult Circumstances, as shall be judged reasonable. Memorial of *Wm. Thorne*.

Read and committed to Mr. *Gibbs* of *Newton*, Mr. *Humphry*, and Mr. *Marsh*, to consider and Report thereon.

A Petition of *Josiah Horsford* and others, Proprietors of a Place called *West-Hoosuck*, in the County of *Hampshire*, setting forth, that they have, agreeable to the Order of the Government, built a sufficient Block-House for their Security against the Enemy, but by Reason of there being so few Men in the Garrison, and the Difficulty of getting Supplies for their Subsistence and Stores, especially considering the hard Treatment they have received from the Commanding Officer at *Fort-Massachusetts*; and the other Proprietors are discouraged from settling with them; and praying that an Augmentation may be made of their Garrison, that others of their Inhabitants may be put into Pay of the Government, under the Command of a suitable Person among themselves; and they allowed to subsist themselves, and be paid therefor at the Rate the Commissaries are allowed to charge in their Accounts. Petition of *Josiah Horsford*, &c.

Read and Ordered, That Col. *Lawrence*, Mr. *Brown*, and Mr. *Stone*, be a Committee to take this Petition under Consideration, and Report what they judge proper for this Court to do thereon. Order thereon.

The Committee appointed on the Petition of *Benjamin & John Waldo*, Reported thereon, verbally; Accepted, and Report on Petition of *Benj. & John Waldo*.

Ordered, That the Prayer of the Petition be granted; and that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be and hereby are impowered at their next Sessions to be held by Adjournment on Wednesday the second of *February* next, to grant the Petitioner a Licence (if they see fit) to Retail spirituous Liquors at their said Distil-House in *Boston*, they first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

The said Committee reported verbally on the Petition of *Benjamin Procter*; which was accepted; and Report on Petition of *Benj. Procter*.

T t t

Ordered,

Order there
on.

Ordered, That the Prayer of this Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be and hereby are impowered at their next Sessions to be held by Adjournment on Wednesday the 2d *Febr.* next, to grant the Petitioner a Licence (if they see fit) to Retail spirituous Liquors in the Town of *Boston*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding. Sent up for Concurrence.

Report and
Order rela-
ting to the
Choice of
Petit Jurors.

The Committee appointed to prepare the Draught of a Resolve relating to the Choice of Persons to serve as Petit-Jurors, in such Places where they had not acted agreeable to the Directions of the Law lately passed, Reported thereon.

Read, and after a Debate, *Ordered*, That the said Committee prepare and bring in a Bill for the Purposes mentioned. Also

Committee
relating to
Laws, &c.

Ordered, That Mr. *Flucker*, Col. *White*, and Mr. *Lyman*, be a Committee to consider of some proper Method of seasonably furnishing the several Towns and Districts within the Province, with the Laws as they are made and passed from Time to Time, and Report thereon.

Mr. Secretary *Oliver*, came down with a Message from his Honour the Lieut. Governour, to both Houses ; which he read, and laid on the Table.

His Honour's said Message is as follows, *viz.*

Message
from his
Honour.

Gentlemen of the Council and House of Representatives,

Since your last Session, I had the Honour to receive his Majesty's Additional Instruction, signifying his Royal Pleasure, that the most effectual Measures should be taken to prevent all Supplies of Provisions or Warlike Stores being sent from hence to the French ; and all Correspondence with them.

As the Force of your Act for these Purposes expired during your late Recess, I have with the Advice and Consent of his Majesty's Council, given Orders to the Impost Officer to Clear no Vessels having on Board any of the foregoing Commodities, without special Licence, until the General Court should have Opportunity of Resuming the Consideration of these Matters. The Force of this Order will expire likewise the 10th Instant, I therefore earnestly Recommend to you, Gentlemen, to Frame a Law, which shall effectually prevent our Enemies from receiving Succours or Intelligence from us.

Council Chamber Jan. 8th 1757.

S. P H I P S.

Committee
for a Bill.

His Honour's Message foregoing was read, and being immediately taken under Consideration,

Ordered, That Mr. *Gridley*, Col. *White*, and Mr. *Welles*, be a Committee to prepare & bring in a Bill for the Purposes mentioned. Also

Ordered, That Mr. *Welles* prepare the Draught of a proper Answer to his Honour's said Message ; and Report.

Report on
a Bill.

The Committee appointed to prepare & bring in a Bill, relating to the Choice of Petit Jurors in such Places where they had not attended the Directions of the Law lately passed, Reported a Bill Intituled *An Act in Addition to an Act Intituled An Act for better Regulating the Choice of Petit Jurors*: Which the Chair-man read at his Place, and delivered in at the Table.

Said Bill
read.

The

The said Act was read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Capt. *Richardson*, Mr. *Heath*, and Mr. *Lyman*, be a Committee to examine the Establishment for the Eastern and Western Frontiers, and Report.

Committee on Establishment for Soldiers.

Ordered, That Col. *Cotton*, Col. *White*, Col. *Clap*, *Thomas Foster*, Esq; and Col. *Otis*, be a Committee to prepare & bring in a Fee-Bill.

Committee for Fee-Bill.

Isaac Royall, Esq; brought down a Letter from *Timothy Woodbridge*, Esq; to his Honour the Lt. Governour; which he laid on the Table.

Letter to his Honor, read.

The said Letter, dated *Stockbridge*, Dec. 15th 1756. was read.

Isaac Royall, Esq; brought down a Petition of *Andres Rase* and *Theophilus Brazze*, of a Place called *Taukonnuck*, praying the Interposition of this Court, under their distressed Circumstances, they being forceably turned out of their Dwellings, and their Houses demolished by *Robert Livingston*, Esq; Pass'd in Council, viz. In Council Jan. 8th 1757. Read, and committed to the Committee upon that Part of his Honour's SPEECH, relative to this Affair.

Petition of *Andres Rase*, &c. bro't down.

Sent down for Concurrence.

Read and concur'd.

John Otis, Esq; brought down the Report of the Commissioners appointed by the Court to wait on the Right Honourable the Earl of *Loudoun* at *Albany*. Signed *Samuel Welles*, *Thomas Hutchinson*. Pass'd in Council Jan. 8th 1757. Read and accepted.

Report of Commissioners bro't down.

Sent down for Concurrence.

Read and concur'd.

A Petition of *John Halenbeek*, *Josiah Loomis* and others, of a Place called *Taukonnuck*, in the County of *Hampshire*, praying for a Grant of Lands, lying between *Connecticut* Line and the Township lately granted to Capt. *Robert Noble* and others, and for Liberty to make a Purchase of said Lands from the Natives.

Petition of *Halenbeek*, *Josiah Loomis*, &c.

Read and *Ordered*, That this Petition lie on the Table.

The Committee appointed on the Petition of *William Thorne*, Reported thereon.

Report on Petition of *Wm. Thorne*.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of six Pounds, for his Sufferings mentioned, for six Years past; and that he be also allowed the Sum of twenty Shillings annually, until the further Order of this Court.

Sent up for Concurrence.

A Petition of *Jonathan Sheple* of *Groton*, in the County of *Middlesex*, setting forth, that about four Years ago, he was several Times presented by the Grand-Jury for not attending the public Worship of God, but being at that Time over-borne with Melancholly, under his then distressing Circumstances, and bereaved of the proper Exercise of his Reason, he forfeited his Recognizances, for satisfying which, and the other Costs attending the said Presentments, he has been since obliged to make Sale of his Dwelling-place; and praying that the Money paid by him, being still in the Clerk's Hands, he may be allowed to receive back again.

Petition of *Jona. Sheple*.

Read, and *Ordered*, That Col. *Lawrence*, Col. *Clap*, and Mr. *Pren-tice*, be a Committee to consider this Petition, and Report thereon.

The

Mr. Treasurer *Gray*, admitted into the House. The House being informed, that Mr. Treasurer *Gray* was at the Door, waiting for Admittance :

He was admitted accordingly ; and laid the Accounts of the late *Crown-Point* Expedition as far as has been paid by him ; and the State of the Parliamentary Grant, on the Table ; and being directed by Mr. Speaker, to lay in Conjunction with the Commissary-General, an Estimate of what may be still necessary for compleating the Charge of said Expedition, &c. before the House ; he withdrew.

Bill relating to Petit-Jurors, bro't down.

John Erving, Esq; brought down the Bill Intituled *An Act in Addition to an Act for better Regulating the Choice of Petit Jurors*. Pass'd in Council, viz. In Council *January* 8th 1757. Read a first and second Time, and pass'd a Concurrence to be engross'd, with the Amendments at A, & B. Sent down for Concurrence.

Read and concur'd.

Vote of Council bro't down.

John Erving, Esq; brought down the following Vote of Council, viz. In Council, *January* 8th 1757.

Voted, That *Thomas Hutchinson*, and *Stephen Sewall*, Esqrs; with such as the honourable House shall appoint, be a Committee to take under Consideration Messieurs *Hanbury* and *Thomlinson's* Letter of the 5th of *April* last, and to prepare an Answer to the same.

Sent down for Concurrence.

Read and concur'd ; and Mr. *Gridley*, Mr. *Flucker*, and Mr. *Welles*, are joined in the Affair.

Report and Order on Establishment.

The Committee appointed to examine the Establishment for the Eastern and Western Frontiers, Reported thereon, in Part.

Read and accepted ; and *Ordered*, That the same be recommended for the proper Proportioning of Officers, in the several Garrisons.

Message to his Honour.

Mr. *Welles*, according to Order, Reported the Draught of an Answer to his Honour's Message of this Forenoon.

Read and accepted, and *Voted*, That the following Message be sent to his Honour the Lieut. Governour, viz.

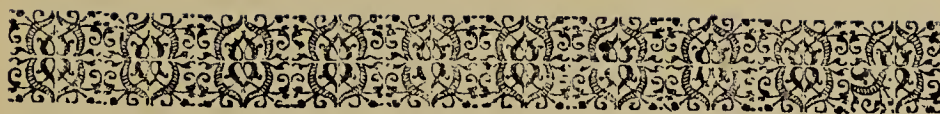
May it please your Honour,

Pursuant to your Honour's Message this Morning, the House have appointed a Committee to bring in a Bill, to prevent the Exportation of Provisions &c. to the Enemy ; but as we apprehend, that it is of great Importance, that some effectual Provision be made for the same Purpose, through the Continent ; to accomplish which, the Right Honourable the Earl of *Loudoun's* Approbation and Influence will be the most likely Means ; the House therefore humbly apprehend, that it will be proper to suspend the Affair for a few Days, 'till his Lordship's Arrival ; and humbly pray your Honour, in the mean Time, with the Advice of His Majesty's Council, to give such Orders in this Affair, as the public Interest and Safety may require.

Ordered, That Mr. *Welles*, Col. *Quincy*, Mr. *Flucker*, Col. *White*, and Col. *Lawrence*, be a Committee to wait on His Honour, with the foregoing Message.

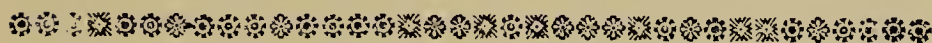
Then the House adjourn'd 'till Monday next, three o'Clock Afternoon.





V O T E S

Of the House of Representatives.



Lunæ 10. Die Januarii, A. D. 1757.

THE Committee appointed on the Petition of the Select-Men and Assessors of that Part of *Concord*, lately called *Carlisle*, Reported thereon. Report on
Petition of
the Assessors
of the late
District of
Carlisle.

Read, and accepted, and Ordered, That the Prayer of the Petition be granted ; and that the Assessors last chosen in said *Carlisle* whilst it continued a District, be, and they hereby, are fully authorized, impowered and directed to receive, examine and settle the several Accounts of all and every Person and Persons, who had, and now have any just Demands on said *Carlisle*, and to lay a Tax upon, and assess the Polls and Estates of the Inhabitants of said District, according to the List of Valuation of their Estates, by which their last Province Tax was made, for the respective Sums that shall be found due, and to issue their Warrant or Warrants, directed to the last Constables chosen by said District, to collect and gather the same, in like Manner as they were enabled to do, before the said District was annexed to the Town of *Concord* ; and the Constables last chosen by said District, are hereby directed and impowered, immediately after their receiving their Warrants, to collect and gather such Sum and Sums, of the said Inhabitants, as shall be contained in the Warrant or Warrants to them respectively directed, under the same Penalties, as by Law is provided to be recovered of defective Constables & Collectors ; and to finish their former Collections, and pay the whole to the late Treasurer of the said District, who is hereby impowered to demand, recover and receive the same of the said Constables, and to pay off the several Demands that shall be allowed by the said Assessors, in as full and ample Manner as he would have been, had the said *Carlisle* remained a District.

Sent up for Concurrence.

The Committee appointed to examine the Establishment for the Eastern and Western Frontiers, Reported according to Order. Report on
Establish-
ment on the
Frontiers.

Read and accepted. Sent up for Concurrence.

Petition of
John Love.

A Petition of *John Love* of *Hanover* in the County of *Plymouth*, setting forth, that having been a Soldier at *Fort-Halifax* for some Time, he was in *December 1755*, at the Desire of the two Houses dismissed from the Service, at which Time there was 43*s.* due to him more than he is made up for in the Muster-Roll, and praying that he may be allowed that Sum out of the public Treasury.

Read, and committed to Col. *Gerrish*, Mr. *Stockbridge*, and Mr. *Witt*, to consider and report thereon.

Petition of
John Ashley,
Esq;

A Petition of *John Ashley*, Esq; and others, of *Sheffield* in the County of *Hampshire*, setting forth, that by Order of the General Court, they travelled to *Boston* in the Year 1755, to give Evidence relating to a Fraud, supposed to be committed by *David Ingersole*, Esq; for which they have received no Satisfaction; and praying such Allowance for their Time and Expences as shall be judged reasonable.

Read and Ordered, That Col. *White*, *Thomas Foster*, Esq; and Col. *Lawrence*, be a Committee to consider this Petition, and Report what they think proper for this Court to do thereon.

Petition of
Timothy Mos-
man.

A Petition of *Timothy Mosman*, setting forth, that being employed by sundry Persons to renew the Bounds of their Lands, near the *Wechusett-Hills*, he has discovered a Tract of One Hundred and five Acres, belonging to the Province, as described in a Plan thereof, taken by a Surveyor and Chain-men under Oath, therewith exhibited; and praying that he may have the same conveyed to him, on his paying into the public Treasury the Sum of *five Pounds six Shillings and eight Pence*, being as much as he apprehends it can be judged to be reasonably worth.

Order rela-
tive thereto.

Read and Ordered, That this Petition be dismissed. And Ordered, That Capt. *Richardson* be directed to consult with Capt. *Wilder*, in order to Ascertain the Province's Right to the said Tract of Land, and Report thereon.

Petition of
Eben. Hidden.

A Petition of *Ebenezer Hidden*, Administrator of the Estate of *Jonathan Hidden*, late of *Rowley* in the County of *Essex*, deceased, setting forth, that the said *Jonathan* being engaged in the Expedition against *Crown-Point*, died whilst in the Service at *Fort William-Henry*, that his Gun and Cloathing were sold at Vendue, and the Money arising thereby amounting to about *five Pounds*, was received by Capt. *Joseph Ingersole*, who remaining still in the Service, he has no Way of recovering what is due from him on Account thereof, to the Estate of the Deceased, without the Interposition of this Court; and praying that so much of the Wages of the said *Joseph* as shall be sufficient to pay for said Articles may be stopped, and he allowed to receive the same.

Read and Ordered, That Mr. *Lancaster*, Col. *Gerrish*, and Mr. *Morey*, be a Committee to consider this Petition, and Report thereon.

Public Let-
ter bro't
down.

Mr. Secretary *Oliver* brought down a Letter, which His Honour the Lieut. Governour had received from the Right honourable the Lords Commissioners for Trade and Plantations, dated *Whitehall, October 9th 1756*. Which he read, and then withdrew.

The

The Committee appointed to make Enquiry relating to those who are supposed to be infected with the Small-Pox, at the Castle, Reported verbally, That they find none have been taken with that Distemper for about a Week past, that all who have been seized with it have been sent to the Hospital on *Rainsford's-Island*; but that nevertheless they apprehend there is Danger of the Infection's being spread, by the frequent passing of Persons from *Castle-Island*, over to *Dorchester*, and elsewhere: Thereupon,

Committees
Report as to
Infection at
the Castle.

Ordered, That Col. *Otis*, Col. *White*, and Mr. *Heath*, wait upon his Honour the Lieut. Governour with a Message, to desire his Honour would be pleas'd to give strict Orders, That no Women or other Persons who may be suspected of having the Infection of the Small-Pox, be allowed to pass from the Castle on any Pretence whatsoever.

Order there-
on.

Who returned, That they had delivered the Message.

A Petition of *William Stanley* of *Kittery* in the County of *York*, setting forth, that at the Inferiour Court held at *York* in *July* last, he brought his Action against one *William Wittum*, for not saving him harmless from all Costs and Damages arising on a Suit carried on in the Petitioner's Name, against one *Samuel Gatchell*, as by their Agreement he should have done, but not being able to produce the written Evidence thereof, the Case was given against him, and by his Attorney's not entering an Appeal, he has lost the Opportunity of recovering his just Damages, tho' he has since found and can produce the said Evidence; therefore praying, that he may be enabled to Review his said Action, before the said Inferiour Court, or to bring forward his Appeal to the next Superiour Court, to be held in and for said County.

Petition of
Wm. Stanley.

Read and Ordered, That the Petitioner serve the adverse Party *Moses Wittum*, with a Copy of this Petition, that he shew Cause, (if any he have) on the second Wednesday of *February* next, if the Court be then Sitting, if not, on the first Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Order there-
on.

Sent up for Concurrence.

An engross'd Bill Intituled *An Act in Addition to an Act, Intituled An Act for the better Regulating the Choice of Petit Jurors*.

Read and Resolved, That the Bill pass to be enacted.

Bill enacted.

The Committee appointed on the Petition of *Abigail Brown*, Reported thereon.

Read and accepted, and Ordered, That the Prayer of this Petition be granted; and that the Petitioner be, and she hereby is empowered in her said Capacity of Guardian, to make and execute a good and sufficient Deed of Sale in the Law of the Interest in the House and Land belonging to the two Minors therein mentioned, for the most the same will fetch; she observing the Directions of the Law relating to the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Essex*, that the Produce thereof, together with the Interest arising thereon, be paid to the said two Minors, as they shall respectively arrive at lawful Age.

Report on
Petition of
*Abigail
Brown*.

Sent up for Concurrence.

On

Order on Pe-
tition of Wm
Blodget. On a Motion made and seconded, *Ordered*, That a Petition of *William Blodget* and others, as entred the 7th *October* last, be revived : Thereupon the said Petition was read again ; and

Ordered, That the Prayer thereof be so far granted, as that the Petitioners be, and hereby are allowed the Use and Improvement of the Island mentioned for the catching of Fish, or otherwise, as they shall see fit, during the Pleasure of this Court.

Sent up for Concurrence.

Committee
for Excise
Bill.

Ordered, That Judge *Russell*, Mr. *Flucker*, Col. *Otis*, Col. *Cotton*, and Col. *Lawrence*, be a Committee to prepare and bring in an Excise-Bill.

Order on
Petition of
Eben. Everit.

On a Motion made and seconded, *Ordered*, That the Petition of *Ebenezer Everet*, be revived : Thereupon the said Petition was read again, and committed to Mr. *Sumner*, Mr. *Whitney*, and Capt. *Hutchins*, to consider, and report thereon.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Martis 11. Die Januarii, A. D. 1757.

Petition of
*Mordcai El-
lis*.

[was]

A Petition of *Mordcai Ellis*, of *Hanover* in the County of *Plymouth*, setting forth, That one *Betty Cepit*, an Indian Woman, of a Place called *Mashpee*, came to his House in the Year 1755, and wa take n sick & died after about 12 Weeks Confinement ; and praying, that the Guardians of the *Mashpee* Indians may be directed to pay him the Expences of her Nursing, Doctoring and Funeral Charges, according to the Account exhibited, or that he may be allowed the same out of the public Treasury.

Read and committed to *Thomas Foster*, Esq; Capt. *Newhall*, and Mr. *Humphry*, to consider and Report thereon.

Order on
Petitions of
Jacob Loomis,
&c.

On a Motion made and seconded, *Ordered*, That the Petitions of *Jacob Loomis* and *Jonathan Seager*, as entred the 20th of *October* last, be revived.

The said Petitions were thereupon read again. And

Ordered, That the same be committed to the Committee formerly appointed on the said Petitions, to consider and Report thereon.

Memorial of
Andr. Oliver,
Esq; &c.

A Memorial of *Andrew Oliver*, Esq; and others, Trustees appointed in the Act relating to the Linnen Manufacture, setting forth, That in Consequence of the Powers vested in them, they have purchased a suitable Piece of Land, and erected a commodious Building for carrying on the said Manufacture ; but the Excise laid by said Act on Coaches &c. will by no Means raise a sufficient Sum to Reimburse them the Cost they have been at within the five Years, the Term for which it was to be in Force ; and praying that this Affair may be taken under Consideration, and such further Provision made for that Purpose, as shall be judged reasonable.

Read and *Ordered*, That Mr. *Tasker*, Judge *Russell*, and Mr. *Morey*, be a Committee to take this Memorial under Consideration, and Report thereon.

A Petition of *Solomon Cook* and others, Military Officers and Select-Men of the Town of *Province-Town*, setting forth their Exposedness to the Attacks of the Enemy, and the great Benefit the Support of said Place is of, to the Public ; and praying that a suitable Number of Cannon, & Military Stores may be allowed them. Petition of *Solomon Cook*, &c.

Read and Ordered, That *Mr. Flucker, Mr. Stone, and Capt. Stevens*, be a Committee to take this Petition under Consideration, and Report thereon.

A Petition of *Hannah Goddard*, Administratrix of the Estate of *Gyles Goddard*, late of *Roxbury*, in the County of *Suffolk*, deceased Intestate, setting forth, that she obtained Leave of the Superiour Court to sell Part of the Real Estate of the said Deceased, but his Son entering on the Whole, she was obliged to bring her Writ of Ejectment against him, and recovered Possession of three fourth Parts of the Premises ; that the same now lies in Common with the said Son's fourth Part, which he holds in Tail, and thereby it is impracticable for her to sell to Advantage ; and praying that the Judge of Probate for said County may be Authorized to order Partition to be made between the Parties interested, and that she may be empowered to sell the Share that may be allotted to her as Administratrix, in order to her discharging the Debts due from the said Intestate's Estate. Petition of *Hannah Goddard*.

Read and Ordered, That *Mr. Hunt, Mr. Tasler, and Mr. Paine*, be a Committee to consider this Petition, and Report thereon.

A Petition of *Samuel Browne, Junr.* of *Stockbridge*, in the County of *Hampshire*, setting forth, that being a Constable in said Town, *April 1753*, he was employed by Warrant from *Joseph Dwight, Esq;* to apprehend *Robert and Stevens Cook*, supposed to be guilty of murdering an Indian of said Town, and to take Care of them, and convey them to his Majesty's Goal in *Springfield*, for which Service and his Expences therein, he has not received any Consideration ; and praying an Allowance therefor, agreeable to the Account exhibited. Petition of *Sam. Browne*, [delete in] Junr.

Read and Ordered, That Judge *Russell, Mr. Gridley, and Col. Otis*, Order thereon with such as the honourable Board shall join, be a Committee to take the Petition under Consideration, and Report what they judge proper for this Court to do thereon. — And that the said Committee prepare and bring in a Bill providing for the Payment of Officers and Witnesses in Criminal Cases, where the Party shall be acquitted on Trial ; or if convicted, have not sufficient Estate to pay the Charges :—Also a Bill for altering the Punishment of Criminals in certain Cases made Capital by the Laws now in Force. — And also a Bill in Addition to the Law for regulating of Prisons, and for preventing Escapes.

Sent up for Concurrence.

John Otis, Esq; brought down the Report of the Committee appointed to farm out the Duties of Excise, on Tea, Coffee and China-Ware, in the County of *Plymouth*. Signed *John Cushing*, per Order. Report on *Plymouth Excise* bro't down.

In Council *January 11th 1757.* Read and sent down.

Read and *Ordered*, That this Report be accepted; and that there be allowed and paid out of the public Treasury to the said Committee, the Sum of *fifty seven Shillings and five Pence*, in discharge of their Account exhibited. Sent up for Concurrence.

Petition of Andrew Mc Kenzie, bro't down. *George Leonard, Esq;* brought down a Petition of *Andrew Mc Kenzie*, as entred the 27th *August* last, with a Report of a Committee of both Houses thereon. Signed *William Brattle*, per Order.

Pass'd in Council, *viz.* In Council *January 11th 1757.* Read, and accepted, and thereupon *Ordered*, That the Default aforesaid be taken off; that the Justices of the Inferiour Court of Common Pleas in and for the County of *Suffolk*, be directed and impowered, at their next Term, to hear, try and determine the same Action, give Judgment, and award Execution, in the same Manner as if it had new originated, and no Default had been made thereon; and that the Complaint referred to in the Petition of the said *Andrew*, be dismissed, the said *James Mc Kenzie* paying the said *Gamaliel*, or his Attorney, the legal Cost thereof, and seasonably notifying the said *Gamaliel* of this Order. Sent down for Concurrence.

Read and concur'd.

Bill read. A Bill Intituled *An Act for raising a Sum of Money by Lottery for carrying on certain Manufactures in the Town of Braintree.*

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Report on Petition of Jona. Sheple. The Committee appointed on the Petition of *Jonathan Sheple*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted; and that the several Fines mentioned therein be remitted to the Petitioner; and that the Clerk of the Court of General Sessions of the Peace, for the County of *Middlesex*, be and he hereby is directed to pay the same accordingly.

Sent up for Concurrence.

Committee for a Bill. On a Motion made and seconded, *Ordered*, That *Col. Clap*, *M^r. Tasker*, and *Col. White*, be a Committee to prepare and bring in a Bill for preventing Provisions and Warlike Stores being carried to the *French*.

Post Meridiem.

Petitions of Eunice Brooks. A Petition of *Eunice Brooks* of *Natick*, in the County of *Middlesex*, Indian Woman, praying for Liberty to make Sale of twelve Acres of her Land, to enable her to build herself an House, being exposed to the Inclemency of the Weather, where she now lives, and to defrey the Expences she has been at in the Time of her Sicknes, and for her more comfortable Support in her infirm State of Health.

Read, and *Ordered*, That *Capt. Newhall*, *Col. Bradford*, and *Capt. Thomas*, be a Committee to consider this Petition, & Report thereon.

[An Act] *Excise-Bill reported.* The Committee appointed to prepare and bring in an Excise-Bill, Reported a Bill Intituled *Act for granting to his Majesty an Excise upon Spirits distilled, and Wine, and on Limes, Lemmons and Oranges.*

Read

Read a first Time ; and *Ordered*, That the Bill have a second Reading to Morrow at Eleven o'Clock in the Forenoon.

William Brattle, Esq; brought down a Petition of *Jonah Galushiah*, praying to be divorced from his Wife *Sarah Gallushiah*, she having left him, and co-habited with another Man. Pass'd in Council, viz. In Council *January* 1:th 1757. Read and *Ordered*, That the Consideration of this Petition be referred to the first Friday of the next Sitting of this Court ; and that the Petitioner serve the said *Sarah Galushiah* with a Copy of this Petition, that she shew Cause, (if any she have) on the said Day, why the Prayer thereof should not be granted. Sent down for Concurrence.

Petition of
Jonah Gal-
ushiah, bro't
down.

Read and concur'd.

The Committee appointed on the Petition of *Josiah Horsford*, and others, Reported thereon according to Order.

Read, and accepted in Part ; and thereupon,

Ordered, That Mr. *Lyman*, and Capt. *Richardson*, with such as the honourable Board shall join, be a Committee to repair to *Hoosuck*, and examine the State of the Forts there ; to consider whether it be most expedient to Repair *Fort-Massachusetts*, and to keep a Garrison at the Block-House there, or to build a-new elsewhere ; and that the Committee enquire into the Facts alledged in the Petition, and hear the Parties ; that they be, and hereby are empowered to take Evidences relative thereto on Oath, and Report. Also *Ordered*, That the ten Men, stationed at *West-Hoosuck*, have Liberty to Billet themselves at the Province Charge, until the further Order of this Court, provided they do not charge more than five Shillings & four Pence per Week, for each Man.

Report and
Order on
Petition of
Josiah Hors-
ford.

Sent up for Concurrence.

A Memorial of the Select-Men of the Town of *Boston* in the County of *Suffolk*, setting forth, that by Reason of the almost Ruined State of their Trade, the Inhabitants are so far impoverished, that many of them are utterly unable to pay their Proportion of the very heavy Taxes that are imposed on them ; that the Method of Taxing prescribed by Law, lays them under peculiar Difficulties, which the Possessors of Real Estates thro' the Country in general, are not subject to, the Taxes on their Houses in said Town, amounting to one full fourth Part of what the same would Rent for, exclusive of their Ministerial Charges ; and praying that their very deplorable State may be taken into Consideration, a Committee appointed to hear the Memorialists, and such Relief afforded them, as shall be judged reasonable.

Memorial of
Select-Men
of *Boston*.

Read, and *Ordered*, That Col. *Otis*, Mr. *Tasker*, Col. *White*, Mr. *Lyman*, Col. *Lawrence*, Col. *Gerrish*, and Mr. *Folger*, be a Committee to hear the Memorialists, consider the Petition, and Report what they judge reasonable for this Court to do thereon.

A Memorial of *Jonathan Coffin*, Esq; of the Island of *Nantucket*, in Behalf of the Inhabitants of said Island, setting forth, that they have in the Course of the Year past, lost one fifth Part of their Shipping, with a great Part of their Men, whose Wives and Children are in a great Measure unable to support themselves ; that

Memorial of
Jona. Coffin,
Esq;

that they have hitherto been always ready to pay their full Proportion, for Support of the Government, but under their present Distresses, it will be next to impossible to pay their Taxes, with the additional One imposed on them by a late Law, instead of their performing personal military Service; and praying that such Part of their Taxes may be Remitted them, as shall be judged equitable.

Read and Ordered, That this Memorial be committed to the last mentioned Committee, to consider, and Report thereon.

Petition of
Jeduth. Baldwin.

A Petition of *Jeduth Baldwin*, Captain of a Company in the first Expedition against *Crown-Point*, setting forth, That after the Army was disbanded, he voluntarily tarried to Garrison Fort *William-Henry*, where he had the Over-sight of the Workmen employed there during the Winter Season, and supplied them, and sundry sick Persons with many Articles out of his own Stores; and praying an Allowance therefor, according to the Account exhibited.

Read and Ordered, That Col. *Jones*, *Benjamin Reed*, Esq; and Mr. *Hunt*, be a Committee to consider this Petition, and Report thereon.

Report on
Petitions of
sick & wounded
Soldiers.

The Committee appointed on Petitions from sick & wounded Soldiers, Reported on sundry of said Petitions, which were read, and the Reports accepted: And thereupon,

Ordered, That there be allowed and paid out of the public Treasury to Capt. *Joshua Hutchins*, for the Use of *Thomas Wright*, 48s. to Capt. *Jonathan Whiting*, for the Use of *Benjamin Barnard*, 11s. 8d; to Capt. *James Barret*, for the Use of *Samuel Estabrooke*, 49s. to Mr. *Jacob Porter*, for the Use of *Job Terill*, 32s; and to *Joseph Gerrish*, Esq; for the Use of *Benjamin Coker*, 50s. in full Consideration of the Expences in their Petitions severally mentioned.

Sent up for Concurrence.

Ordered, That the Secretary be directed to attend the House:

Who attended accordingly: When Mr. Speaker was pleased to enquire, whether the Vote for a Committee to wait on my Lord *Loudoun* on his Arrival here, had been passed by the Board? And whether his Honour had given his Consent thereto?

Mr. Secretary answered, That the Vote had been passed on, and concur'd by the Board; and had been laid before his Honour; but that he took some Exception to the Form of it, and had refused his Consent. And that the Board had thereupon substituted another Vote in the Room of it: And then withdrew.

Isaac Royall, Esq; brought down the following Vote of Council, viz. In Council January 11th 1757. Ordered, That Sir *William Pepperrell*, *John Osborne*, *Jacob Wendell*, *Benjamin Lynde*, *Samuel Danforth*, *Samuel Watts*, *Andrew Oliver*, *Thomas Hutchinson*, *Stephen Sewall*, *Isaac Royall*, *John Erving*, and *William Brattle*, Esqrs; with such as the honourable House shall appoint, be a Committee to wait on the Right Honourable the Earl of *Loudoun*, upon his first Arrival in the Town of *Boston*, and to make the Compliments of the Government to his Lordship upon that Occasion.

Vote of
Council
bro't down.

Sent down for Concurrence.

Read

[directed] Mr. Secretary directed.

Read and concur'd, and Mr. Speaker, Col. *Otis*, Judge *Russell*, Mr. *Welles*, Mr. *Lyman*, Col. *Cotton*, Mr. *Flucker*, Col. *Miller*, Mr. *Gridley*, Col. *Lawrence*, Mr. *Gibbs* of *Salem*, Col. *Hale*, Col. *Quincy*, Mr. *Pierce*, Mr. *Tasker*, and *Thomas Foster*, Esq; are joined in the Affair.

Isaac Royall, Esq; brought down the following Vote of Council, Vote of
Council
bro't down.
viz. In Council *January* 11th 1757.

Voted, That the Committee appointed to wait on the Right Honourable the Earl of *Loudoun*, upon his first Arrival, take a suitable Opportunity to ask his Lordship to do the Government the Honour of Dining with the Lieutenant Governour, and the said Committee of the General Court, at a public Entertainment; which the Committee are to cause to be provided accordingly.

Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Mercurii 12. Die Januarii, A. D. 1757.

George Leonard, Esq; brought down the Report of the Committee of both Houses, appointed to consider what may be further necessary to be done, for procuring a Reimbursement of the Charges of the last *Crown-Point* Expedition. Committee
for a Rein- [Reimbursement]
bursement.

Signed *Andrew Oliver*, per Order.

Pas'd in Council, *viz.* In Council *January* 11th 1757. Read and accepted, and *Ordered*, That the same Committee give Directions for preparing the Accounts, and Copies of other Papers needful to vouch the same; and that they write Mr. Agent *Bollan*, agreeable to the foregoing Report, by the first Opportunity.

Sent down for Concurrence. Read and concur'd.

A Petition of *Eleazer Tyng*, Esq; and many others, Inhabitants of the County of *Middlesex*, setting forth, that the Act passed in the 28th Year of his present Majesty's Reign, for the preventing the Destruction of Fish, is ineffectual for the Ends proposed, so far as it respects the River *Merrimack*, the Inhabitants on said River, belonging to *New-Hampshire* Government, catching Fish at all Seasons, without Restraint; and praying that the Law, as far as it Respects said River, may be repealed, or suspended, until some Law agreeable to said Law of this Province, be passed in *New-Hampshire* Government. Petition of
Eleazer Tyng,
Esq; &c.

Read.

And on a Motion made and seconded, *Ordered*, That Mr. *Spaulding*, Mr. *Stickney*, and Capt. *Keep*, wait on his Honour the Lieut. Governour, to enquire, whether he has wrote to *New-Hampshire* Government, agreeable to the Desire of the House some Time since signified to him, moving them to restrain their Inhabitants from destroying the Fish in the River *Merrimack*? And what Answer he received, if any?

Who returned, That they had delivered the Message; and were Answered by his Honour, that he did not then call to Mind any such Desire of the House.

Thereupon,

Y y y

Ordered,

Ordered, That Col. *Hale*, Col. *Bradford*, and Mr. *Spaulding*, be a Committee to prepare the Draught of a Message to his Honour, desiring him to write for the Purposes mentioned, to the said Government ; and Report.

Committee for a Bill. The Committee appointed to prepare a Bill for preventing Provisions and Military-Stores being carried to the French ; Reported,

Bill read. A Bill Intituled *An Act for preventing the Exportation of Provisions and Warlike Stores out of the Province* : Which the Chair-man read at his Plate, and then delivered in at the Table.

The said Bill was read a first Time ; and *Ordered*, That the same have a second Reading to Morrow Morning, at ten o'Clock.

Committee to prevent the spreading of Infection. On a Motion made and seconded, *Ordered*, That Col. *Hale*, Mr. *James Foster*, and Capt. *Sprague*, be a Committee, to consider what may be proper to be further done to prevent the Spreading the Infection of the Small-Pox, and Report.

Petition of Lydia Kellogg bro't down. *John Chandler*, Esq; brought down a Petition of *Lydia Kellogg* of *Sunderland*, praying she may be divorced from her Husband *Ephraim Kellogg*, who has left her, and co-habits with another Woman.

Pass'd in Council, viz. In Council *January* 11th 1757. Read and *Ordered*, That the Consideration of this Petition be referred to the first Friday of the next Sitting of this Court ; and that the Petitioner serve the within-named *Ephraim Kellogg*, with a Copy of this Petition, that he may on the said Day, shew Cause (if any he have) why the Prayer thereof should not be granted.

Report on Petition of Daniel Grainger. Sent down for Concurrence. Read and concur'd. The Committee appointed to consider Petitions from sick and wounded Soldiers, Reported on the Petition of *Daniel Grainger*.

Which was read, and the Report accepted ; and thereupon, *Ordered*, That in Consideration of the Petitioner's great Sufferings, and Loss of Time, by Reason of his Wounds mentioned, there be granted to him, in some of the unappropriated Lands within this Province, in the County of *Hampshire*, two Hundred Acres, to be laid out by a skilful Surveyor and Chain-men on Oath, in a Regular Form, and return a Plat thereof to this Court, within twelve Months, for Confirmation ; the said two Hundred Acres to be, and remain to the said *Daniel Grainger*, his Heirs & Assigns for ever ; provided he the said *Daniel*, his Heirs or Assigns, fulfil and comply with the Conditions hereafter mentioned ; viz. That within three Years, next after the present War shall be over, he or they build two good Dwelling-Houses, and inhabit the same, the said Houses to be not less than sixteen Feet square Rooms, and not less than seven Feet between Joynts, and fence in not less than ten Acres of Land, and break the same up, or Stock so much with English Grass.

Sent up for Concurrence.

Petition of Ezra Conant. A Petition of *Ezra Conant*, Guardian to *Josiah Putney* a Minor, Son to *Joseph Putney*, late of *Dudley*, in the County of *Worcester*, deceased ; praying that he may be allowed and impowred to make Sale of the said Minor's Interest in certain Tracts of Land, lying in the said Town of *Dudley*, to enable him to pay his Proportion of the Legacies given to the Daughters of the said *Joseph*, and

and the Annuity agreed on by the Heirs, to be paid the Widow of the Deceased, instead of her Dower.

Read and *Ordered*, That Col. *Clap*, Capt. *Richardson*, and Mr. *Paine*, take this Petition under Consideration, and Report thereon.

The Committee appointed to consider what may be proper to be further done to prevent the Spreading of the Small-Pox, Reported thereon.

Committee
for a Mes-
sage to his
Honour.

Read, and accepted, and *Voted*, That a Message be sent to his Honour the Lieut. Governour, desiring him, that strict Orders may be given to the proper Officers, that neither any of the Soldiers belonging to the two Regiments at *Castle-Island*, or any other Persons conversant with them, be permitted to go off from the Island on any Terms, there being great Danger, that the Infection of the Small-Pox may otherwise be propagated thro' the Country, which at this Season of the Year, and at this Juncture especially, may be of fatal Consequence; and that the Baggage of those of the Regiments aforesaid may be carefully Aired. And

Ordered, That the said Committee prepare the Draught of a Message to his Honour accordingly, and Report.

The Committee appointed on the Petition of *Ebenezer Hidden*, Reported thereon.

Report on
Petition of
Eben. Hidden.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the Province Treasurer be, and he hereby is, directed to pay out of the Wages of Capt. *Joseph Ingersole*, when the Muster-Rolls shall be made up, *five Pounds and eight Pence*, to the said *Ebenezer Hidden*, for the Use of the Heirs of the said *Jonathan*.

Sent up for Concurrence.

A Petition of *Sybil Bright*, Widow, of *Nathanael Bright*, late of *Watertown*, in the County of *Middlesex*, deceased, praying that *John Kemball*, Jun. Guardian to the Children of the said Deceased, or some other suitable Person, may be impowered to convey to *Josiah Bright* Part of about seven Acres of Wood-Land, which *John Bright* conveyed by Deed of Gift to her said Husband, in Consideration of the Priviledge of cutting Wood on said Land, which it was the Intention of the said *John* to allow to said *Josiah* Brother of her said Husband, but by Reason of the Death of the said *John* and *Nathanael*, was never confirmed to the said *Josiah*.

Petition of
Sybil Bright.

Read and *Ordered*, That Mr. *Hunt*, Col. *Lawrence*, and Col. *White*, be a Committee to consider this Petition, and report thereon.

The Committee appointed on the Petition of *Jeduthun Baldwin*, Reported thereon.

Report on
Petition of
Jeduth. Baldwin.

Read, and accepted; and *Ordered*, That there be allowed and paid out of the Province Treasury to the Petitioner, the Sum of *seventeen Pounds sixteen Shillings and eight Pence*, in full Discharge of his Account annexed.

Sent up for Concurrence.

A Petition of *Thomas Awonfamug* of *Natick*, in the County of *Middlesex*, Indian Planter, praying for Liberty to make Sale of twenty Acres of his Lands in said Town, to enable him to discharge his Debts contracted in Time of his Sicknes, and for his

Petition of
Tho. Awonfamug.

more

more comfortable Support for the future, under his Infirmities contracted by Means of the Hardships he has undergone in his Majesty's Service for many Years past, and which have rendered him unable to Labour.

Read and *Ordered*, That the Committee appointed on the Petition of *Eunice Brooks*, consider this Petition, and Report thereon.

Report of a
Message to
his Honour.

The Committee appointed to prepare the Draught of a Message to his Honour the Lieut. Governour, to desire him to give Directions for preventing Persons from passing from *Castle-Island*, whilst there remains any Danger of spreading the Small-Pox, Reported, according to Order.

Read, and accepted ; and *Voted*, That the following Message be sent to his Honour the Lieut. Governour, *viz.*

May it please your Honour,

THIS House having received Information, That notwithstanding the Orders which may have been given by your Honour, in Compliance with their Desire of the 10th Instant, many of the Soldiers of the Regiments in Quarters at *Castle-Island*, by some Means or other, find Opportunities to convey themselves to *Boston*, and the neighbouring Towns ; whereby, as the Small-Pox is among them, there is the greatest Danger that the Infection will universally Spread, which we are apprehensive will be of fatal Consequence to the Public, at this Season of the Year, and especially at this critical Juncture.

It is therefore the earnest Desire of the House, that your Honour will lay the strictest Injunctions on the proper Officers, that neither any of the Soldiers of the two Regiments at *Castle-William*, nor any either of the Garrison, or others conversant with them, be permitted, on any Terms, to go off from the Island, so long as there shall be any Danger of the spreading the Small-Pox ; and that the Baggage of those Troops shall be carefully and sufficiently Aired.

Committee
to wait on
his Honour.

Ordered, That Col. *Cotton*, Col. *Hale*, and *Benjamin Reed*, Esq; be a Committee to wait on his Honour the Lieut. Governour, with the foregoing Message.

Petition of
Isaac Temple.

A Petition of *Isaac Temple*, and *Cyprian Keys*, Executors of the last Testament of *Henry Keys*, late of *Shrewsbury* in the County of *Worcester*, deceased, praying that the Allowance made in the Muster-Rolls for Subsistence of Soldiers on their Return from the Army, after the first Expedition against *Crown-Point*, may be paid them out the public Treasury, in Consideration of the said *Henry's* being obliged to bear his own Expences on his return Home from the Camp, there being no Orders passed at that Time for subsisting said Soldiers, by Taverners and others.

Read, and committed to Col. *Buckminster*, Mr. *Brown*, and Capt. *Stevens*, to consider, and report thereon.

Petition of
Cyprian Keys,
&c.

A Petition of *Cyprian Keys*, and others, in Behalf of the second Precinct in *Shrewsbury*, in the County of *Worcester*, setting forth,

that at the annual Meeting of the Inhabitants of said Precinct, in *March* 1752, the Money-Oath (so called) was not administered to the Precinct-Officers then chosen, by Means whereof the Assessment made by their Assessors is esteemed Illegal, and the Collector's Authority insufficient to collect the same ; and praying that the said Assessment may be confirmed, and the Collectors authorized and directed to collect and pay into their Treasury the Taxes assessed.

Read, and committed to Mr. *Brown, Richard Reed, Esq;* and Major *Noyes*, to prepare the Draught of a proper Vote to be passed by this Court, granting the Prayer thereof.

The Committee appointed on the Petition of the Military-Officers and Select-Men of *Province-Town*, Reported thereon, according to Order.

Report on
Petition of
Military-
Officers and
Select-Men
of *Province-
Town*.

Read, and accepted ; and *Ordered*, That the Prayer of this Petition be so far granted, as that the Inhabitants of said Town be allowed one Cannon of four Pound Shot, and twenty small Arms with Powder and Ball suitable therefor ; and that the Military Company in *Truro*, be ordered to assist the Town of *Province-Town*, in such Divisions as they shall be ordered from Time to Time, to Watch and Ward : And that his Honour the Lieut. Governour, be desired to give Orders for said Cannon, Arms and Ammunition ; and to direct Col. *Winslow*, the Colonel of said Regiment, to pursue such Directions, relating to *Truro* and *Province-Town*, as his Honour shall think fit ; the said Cannon, Arms and Ammunition to be returned to the Province when the War is ended.

Sent up for Concurrence.

Post Meridiem.

A Petition of *Joseph Fairbanks*, and sundry others, Soldiers in the Expedition against *Crown-Point* in 1755, setting forth, that on their Enlistment into the Service, they were promised Subsistence from the Time of leaving their Homes, till they should arrive at the Place of Rendezvous ; but this notwithstanding, they subsisted themselves for about a Fortnight at *Taunton*, after they were ordered to Muster ; and praying such Allowance for their said Expences, as shall be judged reasonable.

Petition of
*Joseph Fair-
banks*.

Read and *Ordered*, That Capt. *Sprague*, Col. *White*, and *Jacob Cushing, Esq;* take this Petition under Consideration, and Report thereon.

The House being informed, that Mr. *Ashley*, who has lately resided among the *Six Nations* of Indians, was in Town ; and it being apprehended he might be able to give Information in some Matters of Importance relative to them, *Ordered*, That he be directed to attend the House :

Mr. *Ashley*,
directed to
attend the
House.

Mr. *Ashley* attended accordingly ; and at Mr. Speaker's Desire, gave an Account of what he knew relating to the Disposition of those Indians, and other Tribes towards the English and French, and then withdrew.

Report of
a Message to
his Honour. The Committee appointed to prepare the Draught of a Message to his Honour the Lieut. Governour, desiring him to write to the Government of *New-Hampshire*, on the Subject of catching Fish in *Merrimack-River*, Reported according to Order.

Read and accepted, and *Voted*, That the following Message be sent to his Honour the Lieut. Governour, *viz.*

May it please your Honour,

Message to
his Honour.

THis Government sensible of the great Advantage the Passage Fish in *Merrimack-River* are of to the Public, have at sundry Times made Laws to prevent their Destruction, which have been generally well observed by their own People ; but as a Part of that River, by the Judgment of his Majesty in Council, falls within the Province of *New-Hampshire*, those of that Government being not under the Jurisdiction of our Laws there ; and having none of their own of the like Nature, those Fish will probably, in a few Years, be destroyed, which will be no less to the Damage of the Inhabitants of that Province, than of this.

Wherefore, it is the Desire of this House, that your Honour will be pleased to write to the Governour of *New-Hampshire*, requesting him to move the General Court there, that some good Laws may be made, which shall make equal Provision to preserve the Fish in *Merrimack*, as those made by this Government.

Ordered, That Col. *Hale*, Col. *Bradford*, and Col. *Miller*, be a Committee to wait upon his Honour with the foregoing Message.

Petition of
Samuel and
Lucy Win-
throp.

A Petition of *Samuel* and *Lucy Winthrop*, Residuary Legatees of the last Testament of *Lucy Dudley*, late of *Roxbury* in the County of *Suffolk*, deceased, praying that the said *Samuel* (who is sole Executor of said Testament) may be allowed to give Bond to the Judge of Probate for said County, for the Payment of Debts and Legacies, instead of rendering an Inventory of the Deceased's Estate, the doing whereof being contrary to the Intention of the Testatrix, and what she apprehended she had provided against.

Read, and *Ordered*, That Col. *Otis*, Judge *Russell*, and Col. *Cotton*, be a Committee to consider this Petition, and Report thereon.

Petition of
John Whip-
ple revived.

On a Motion made and seconded, *Ordered*, That a Petition of *John Whipple*, as entred the fifth of *March* last, be revived :

Thereupon the said Petition was read, and committed to the Committee appointed on Petitions from sick and wounded Soldiers, to consider and Report thereon.

Message
from his
Honour.

The Deputy Secretary came down with a Message from his Honour the Lieut. Governour, to acquaint the House, that he had given positive Orders to the commanding Officer at *Castle-William*, not to suffer any Persons whatsoever, to pass or repass, to or from the Castle, with or without their Baggage, except in Case of absolute Necessity.

Report on
Middlesex
Excise.

John Hill, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee, and China-Ware, in the County of *Middlesex*.

Signed

Ezekiel Cheever, per Order.

In Council *January* 12th. 1757. Read and sent down.

Read

Read and accepted ; and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *forty two Shillings and six Pence*, in full Discharge of their Account of Time and Expences. Sent up for Concurrence.

John Chandler, Esq; brought down a Petition of the Inhabitants of *Charlton*, and a Place called the *Gore*, as entred the 12th of *Feb.* last, with the following Vote of Council thereon, *viz.* In Council *January* 12th 1757. Read, and inasmuch as it appears to this Court, that it was by Accident that the Order of Court of the 8th of *June* last was not complied with : Therefore,

Petitions of
Inhabitants
of *Charlton*,
bro't down.

Ordered, That the Consideration of this Petition be further referred to the second Wednesday of the next *May* Sessions ; and that the Petitioners serve the Non-resident Proprietors of *Charlton* and the *Gore*, with this Petition, by inserting the Substance thereof in one of the public Prints three Weeks successively, that so they may shew Cause (if any they have) why the Prayer thereof should not be granted : and in the mean Time it is recommended to the Parties, to endeavour to accommodate the Affair amongst themselves. Sent down for Concurrence.

Read and concur'd.

A Petition of *John Godsoe*, Administrator of the Estate of *John Shepherd*, late of *Kittery*, in the County of *York*, deceased, Intestate, shewing that the said Intestate agreed with *Ichabod Goodwin* of *Berwick*, to convey him his Right in a Lot lying in the common Lands, belonging to the Proprietors of said Township, and received a considerable Part of the Sum agreed on, but was prevented executing a Deed thereof by Death ; and praying, he may be empowered to perfect the Bargain made, and make a legal Conveyance of the Premises to the said *Goodwin*.

Petition of
John Godsoe,

Read and *Ordered*, That *Col. White*, *Capt. Whitney*, and *Mr. Gibbs* of *Newton*, be a Committee to consider this Petition & Report thereon.

The Committee appointed on the Petition of *Sybil Bright*, Reported thereon.

Read and accepted ; and *Ordered*, That the Prayer of this Petition be granted, and that the said *John Kimball*, Junr. be and he hereby is empowered to give and execute, in due Form of Law, a good and sufficient Deed of one half of the Land, both for Quantity and Quality, mentioned in the Petition, to said *Josiah Bright*, which Deed when executed, and duly acknowledged and recorded in the Registry of Deeds for the County of *Middlesex*, is hereby declared to be as good and valid in Law, to all Intents and Purposes whatsoever, to him the said *Josiah*, his Heirs and Assigns, as though executed by the said *Nathaniel* in his Life Time.

Report on
Petition of
Sybil Bright.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Jovis 13. Die Januarii, A. D. 1757.

Report on the Affair of Thos. Morton. **T**HE Committee appointed to consider the Affair of one *Thomas Morton*, who was taken Sick with the Small-Pox in the Town of *Boston*, and the Account of Charges exhibited, Reported according to Order. Read and not accepted.

Bill read. A Bill Intituled *An Act for preventing the Exportation of Provisions and War-like Stores out of this Province.*

Read a second Time, and Ordered, That the Bill be recommended for the Amendment proposed.

Petition of Mary Cook. A Petition of *Mary Cook*, Executrix of the last Testament of her late Husband *Daniel Cook* of *Newton*, in the County of *Middlesex*, deceased, praying Liberty to make Sale of two Lotts of Land lying in *Narragansett*, Numb. two, which he purchas'd with her Money, and which he intended should be at her Disposal, after his Death, but by some Failure in the Legality of the Instrument of Conveyance, must pass to his Blood Relations; to enable her to discharge the just Debts of the Deceased, without selling her Moveables, given her by her said Husband, which she must otherwise be obliged to do.

Read, and committed to Col. *Lawrence*, Col. *Miller*, and Mr. *Brown*, to consider and report thereon.

Resolve relating to the Affair of Mr. Tyng. On a Motion made by Mr. *Flucker*, one of the Members for the Town of *Boston*, that Mr. *Tyng*, not having complied with the Order of the House, be expelled the same; and that a Precept be issued, by Mr. Speaker, for the Choice of some other Person in his Room:

The Question was put, *Whether it be the Mind of the House to assign a Time to take this Motion under Consideration?*

Resolved in the Affirmative.

And thereupon, Voted, That the same be taken under Consideration, at four o'Clock Afternoon.

Draught of a Letter bro't down. *Eleazer Porter*, Esq; brought down the Report of a Committee of both Houses, appointed to prepare the Draught of a Letter to Messieurs *Hanbury* and *Thomlinson*.

Signed *Thomas Hntchinson*, per Order.

Pass'd in Council, viz. In Council *January* 13th. 1757.

Read and Ordered, That the Report be accepted; and that the Committee forward the Letter referred to, accordingly.

Sent down for Concurrence, Read and concur'd.

Petition of John Fiske. A Petition of *John Fiske* of *Waltham*, in the County of *Middlesex*, shewing that he was impressed in *April* last for the *Crown-Point* Expedition, but his Son voluntarily entering into the Service, he was accepted by the Captain of his Company in his Stead; but this notwithstanding, he was again impressed by the Lieut. of the Company, and on his Refusal to proceed in the Service, was committed to *Cambridge* Goal, where he has continued ever since, and greatly suffered by the Cold, and other Hardships he has undergone there; and praying that he may have such Relief afforded him as may be judged meet.

Read and Ordered, That Col. *Cotton*, Col. *White*, and Col. *Hale*, be a Committee to take this Petition under Consideration, and Report thereon.

A Memorial of *Stephen Adams*, and *Peter Hays*, Lieutenants in General *Winslow's* Army, on the last Expedition against *Crown-Point*, praying that a Fine imposed on them of *One Hundred Pounds* Sterling each, by a Court-Martial held at *Fort William-Henry*, on the 27th of *October* last, and for the Payment whereof they were allowed to give their respective Bonds to the Treasurer of this Province, may be remitted in Consideration of the difficult Circumstances, they with their Families must otherwise be reduced to.

Memorial of
Steph. Adams,
&c.

Read, and the Question being put, *Whether the Petition should be sustained?* It pass'd in the Negative. And

On a Motion made, That the Treasurer might have the Direction of this Court, with Regard to said Bonds ;

Ordered, That *Col. Clap*, *Mr. Flucker*, and *Mr. Bradbury*, be a Committee to consider the same, and Report what they judge proper for this Court to do thereon.

The Committee appointed on the Petition of *John Ashley*, Esq; and others, Reported thereon.

Report on
Petition of
John Ashley,
Esq; &c.

Read and accepted ; and *Ordered*, That the Prayer of this Petition be so far granted, as that there be allowed and paid out of the public Treasury to the Petitioners, the Sum of *seven Pounds four Shillings*, in full Consideration for their Time and Expences mentioned.

Sent up for Concurrence.

Ordered, That the Committee formerly appointed to make up a List of the Travel and Attendance of the Members of the House, be directed to compleat the same, and Report.

Committee
for List.

The Committee appointed on the Petition of *Cyprian Keyes*, and others, Inhabitants of the second Precinct in *Shrewsbury*, Reported thereon.

Report on
Petition of
Cyprian Keys,
&c.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Assessment made by the Assessors of said Precinct, in the Year 1752, be deemed, and is hereby declared to be, good and valid in Law, to all Intents and Purposes, they having neglected taking the Oath relating to Bills of Credit of the Neighbouring Governments notwithstanding ; and that the said Collector be, and he hereby is, fully impowered and directed to collect the Taxes mentioned, and pay the same into the Precinct Treasury.

[Petition]

Sent up for Concurrence.

The Committee appointed on the Petition of *Isaac Temple*, Reported thereon :

Report on
Petition of
Isaac Temple.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that there be allowed and paid out of the public Treasury, to the Petitioner the Sum of *sixteen Shillings and six Pence*, in Consideration of the Expences mentioned in the Petition.

Sent up for Concurrence.

Post Meridiem.

The Committee appointed to consider the Petition of *Hannah Goddard*, Reported thereon.

Report on
Petition of
Hannah God-
dard.

A a a a

Read

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Judge of Probate for the County of *Suffolk*, be, and he hereby is, impowered to appoint some suitable Persons, to make a Partition of the Real Estate of *Gyles Goddard*, late of *Roxbury*, deceased, Intestate, containing about eleven Acres, lying and being in said Town of *Roxbury*, in Manner following, *viz.* One fourth Part of the Estate to *Gyles the Son*, and three Fourths to the Petitioner *Hannah*, as Administratrix, who is hereby impowered to make Sale of the said three Fourths, and execute a good and sufficient Deed or Deeds in the Law for Conveyance of the same, for the Payment of her late Husband's Debts ; she observing the Directions of the Law, relating to the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the said County, to be accountable to the Heirs of the said Intestate, for the Overplus arising by such Sale, if any there be.

Sent up for Concurrence.

Resolve relating to the Affair of Mr. Tyng.

The House, according to Order, took under Consideration the Affair of Mr. *Tyng*. And after a large Debate thereon, The Question was put, *Whether the House will now proceed to act upon the Motion relating to Mr. Tyng ?*

Resolved in the Affirmative.

The Question was then put, *Whether Mr. Tyng, for not complying with the Orders of the House, be expelled the same ?*

And it pass'd in the Negative.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Veneris 14. Die Januarii, A. D. 1757.

Treasurer directed.

THE Committee appointed to consider what Directions may be proper to be given the Treasurer with Regard to Messrs. *Adams* and *Haye's* Bonds, Reported thereon.

Read, and accepted, and *Ordered*, That Mr. Treasurer *Gray* be, and hereby is, directed to deliver up two Bonds of *Two Hundred Pounds* Lawful Money each, now in his Office, under the Hands and Seals of *Stephen Adams* and *Peter Haye*, to the said *Stephen* and *Peter*, each of them, in the first Place, paying or giving said Treasurer a Bond with sufficient Sureties, for their severally paying him the Sum of *One Hundred Pounds* Sterling, in six Months, for the Use of this Province.

Sent up for Concurrence.

Report on Petition of The. Cushing.

The Committee appointed on the Petition of *Thomas Cushing*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Petitioner be, and he hereby is, impowered to sell his said Children's Right, in all or any of the Lands therein mentioned, and to make and execute in due Form of Law, a good and sufficient Deed or Deeds of Conveyance thereof, to such Person or Persons as shall be willing to purchase the same, he giving

giving Bond, with sufficient Surety, to the Judge of Probate for the County of *Suffolk*, to Account with the said Children, as they shall respectively arrive at lawful Age, for their Proportion of the Proceeds of such Sale.

Sent up for Concurrence.

The Committee appointed on the Petition of *Ezra Conant*, Guardian to *Josiah Putney*, Reported thereon.

Report on
Petition of
Ezra Conant.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the said *Ezra Conant* be, and he hereby is, impowered in his said Capacity of Guardian, to make and execute a good Deed or Deeds of Sale in the Law, of the said Minors Interest in the Lands mentioned, lying in the Town of *Dudley*, to such Persons as shall be willing to give most for the same, the observing the Directions of the Law relating to the Sale of Real Estates by Executors & Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Worcester*, that the Produce thereof, together with the Interest arising thereon, shall be truly applied for the Payment of said Minors Part of the Legacies, ordered to be paid by the last Will and Testament of his Father *Joseph Putney*, deceased, and the Annuity to his Mother, and to pay the Overplus (if any there be) to the said Minor, when he comes of Age, or to his legal Representative.

Sent up for Concurrence.

The House taking under Consideration the Bill, for preventing the Exportation of Provisions and Warlike Stores out of the Province : His Honour's Proclamation, in Consequence of Instructions received from the Right Honourable the Lords Commissioners for Trade and Plantations, was read : And

Ordered, That Col. *White*, Mr. *Tasler*, and *Thomas Foster*, Esq; be a Committee to prepare and bring in a Bill in Conformity to his Honour's said Proclamation.

Committee
for a Bill.

A Petition of *Samuel Stevens* of *Roxbury*, in the County of *Suffolk*, praying, that this Court would Re-consider the Resolve passed on his Petition, presented to the General Court the last Year, and grant him such further Relief in the Matters therein complained of, as shall be tho't reasonable.

Petition of
Sam. Stevens.

Read, and the Question being put, *Whether the Petition should be sustained ?*

It pass'd in the Negative.

Post Meridiem.

A Petition of Capt. *Ithamar Hubbell*, of *Sheffield* in the County of *Hampshire*, setting forth, That he with the other Officers of the Company, raised by them for the Expedition against *Crown-Point* in 1755, billeted their Men, from the Time of their mustering, till they were ordered to March in the Service, being about 15 Days, and charged the same in his Muster-Roll, but it was not allowed them ; and praying that they may receive out of the Province Treasury, what they then advanced for that Service.

Petition of
Capt *Ithamar*
Hubbell.

Read, and committed to Major *Stockbridge*, Mr. *John Temple*, and Mr. *Elijah Porter*, to consider, and Report thereon.

On a Motion made and seconded, *Ordered*, That Capt. *Hubbell*, Mr. *Bonney*, and Capt. *Whiting*, be a Committee to examine the Muster-Roll

Committee
on a Muster
Roll.

Muste-Roll of Capt. *Fale's* Company, relating to an Omission supposed in the Wages of one *Jonathan Green*, and Report.

Report of
a Bill bro't
down.

John Greenleaf, Esq; brought down the Report of a Committee of both Houses, appointed to examine the Act, lately passed for providing and maintaining two Armed Vessels &c.

Signed *Wm. Brattle*, per Order.

Pass'd in Council, viz. In Council *January* 14th 1757. Read, and accepted. Sent down for Concurrence.

Read and concur'd. And

Ordered, That the said Committee prepare the Draught of a Resolve, to be pass'd by this Court, for the Purposes mentioned.

Sent up for Concurrence.

Petition of
Joshua Emery
&c.

A Petition of *Joshua Emery*, and sundry others of *Haverhill*, in the County of *Essex*, shewing, that in *Sept*, 1755, they were impressed into the Service for the *Crown-Point* Expedition, & not allowed the Privilege of inlisting, and receiving the Province Bounty, as others in the like Circumstances enjoyed; and praying they may be allowed to receive the said Bounty, in Common with their Fellow-Soldiers.

Read, and *Ordered*, That *Col. Lawrence*, *Col. White*, and *Mr. Brown*, be a Committee to consider this Petition, and Report thereon.

Report on
Petition of
John Godsoe.

The Committee appointed on the Petition of *John Godsoe*, Reported thereon.

Read and accepted; and *Ordered*, That the Prayer of this Petition be granted; and that the said *John Godsoe*, in his said Capacity of Administrator, be and he hereby is authorized and empowered to make and execute a good and sufficient Deed of the Land mentioned, to the said *Ichabod Goodwin*, his Heirs and Assigns, he the said *Goodwin* paying the Remainder of the Sum agreed for, by the said *Shepherd* and *Goodwin*, for his the said *Shepherd's* Right, in said Petition mentioned; the said *John Godsoe*, giving sufficient Caution to the Judge of Probate for the County of *York*, to be accountable for the Money he shall so receive.

Sent up for Concurrence.

Order on
Petition of
Jos. Ephraim.

On a Motion made and seconded, *Ordered*, That a Petition of *Joseph Ephraim*, as entred the 2d *June* last; also, the Petitions of *Rachel Barron*, *Rachel Parker*, and *Zechariah Emery* be revived, and committed to the Committee formerly appointed thereon, to consider, and Report.

Petition of
Capt. *Noah*
Sprague.

A Petition of Capt. *Noah Sprague*, Agent for the Town of *Rochester*, in the County of *Plymouth*, praying that the Referrees in an Action between the said Town and the Town of *Dartmouth*, relating to their Boundary Line, may be allowed to rectify an Oversight made in their Report, respecting a Reserve in the Covenant between the Proprietors of said Townships, in Favour of the Town of *Rochester*; the Report of the said Referrees being accepted by the Superiour Court last held at *Taunton* notwithstanding.

Read and *Ordered*, That the Petitioner notify the Town of *Dartmouth* of this Petition, by leaving an attested Copy thereof with the Clerk of said Town, that they shew Cause (if any they have)

have) on the second Wednesday of *February* next, if this Court be then Sitting, if not, on the second Wednesday of the next Sitting, why the Prayer thereof should not be granted.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That the Members for the Town of *Boston*, prepare the Draught of a Resolve, allowing the Select-Men of said Town, to apply the Monies as they shall be received, arising by the several Lotteries they are empowered by Law to carry on, to the Paving the said Neck, and Report.

Order for a
Resolve.

The Committee appointed on the Memorial of *Jonathan Coffin*, Esq; in Behalf of the Inhabitants of *Nantucket*, Reported verbally, That the Sum of *Five Hundred and six Pounds thirteen Shillings and four Pence*, be remitted them of their Taxes, in Consideration of the great Losses they have lately sustained.

Report on
Petition of
Jonath. Coffin
Esq;

Which Report was accepted, and

Ordered, That Col. *Otis* prepare the Draught of a proper Vote to be passed for that Purpose accordingly, and Report.

The Committee appointed to examine the Muster-Roll of Capt. *Fales's* Company, relative to the Wages of *Jonath. Green*, Reported.

Report rela-
ting to *Jona-
than Green's*
Wages.

Read and accepted, and

It appearing to this House, that there was a Mistake made in the Muster-Roll of Capt. Eliphalet Fales, in the Wages of one Jonathan Green, a Corporal in his Company, of forty five Days omitted :

Ordered, That there be allowed and paid out of the public Treasury to *William Lawrence*, Esq; for the Use of the said *Jonathan Green*, the Sum of *two Pounds six Shillings & ten Pence*, in full Consideration thereof. Sent up for Concurrence.

A Petition of *David Kitteridge*, of *Tewksbury*, in the County of *Middlesex*, praying an Allowance for his Gun stolen from him while he lay Sick at the Hospital in *Albany* in the Year 1755, agreeable to his Petition as entred the 2d Day of *June* last, which he understands is mislaid, and has never been finally acted upon.

Petition of
*Dav. Kitter-
ridge.*

Read, and *Ordered*, That Mr. *Brown*, Mr. *Turner*, and Capt. *Newhall*, the Committee appointed on his former Petition referred to, consider this Petition, and Report thereon.

The Committee appointed to consider of some proper Method for making up the Muster-Rolls for the late *Crown-Point* Expedition in an equitable Manner, Reported thereon.

Report of a
Committee
relating to
making up
of Muster-
Rolls.

Read and accepted, and *Ordered*, That the Captains or chief Officers of the several Companies, in the late *Crown-Point* Expedition, in making up the Muster-Rolls, carry out the Wages of each Non-Commission Officer and Soldier born on their respective Rolls, from the Time of their several Inlistments, till they left the Army by Dismissal or Furlough, and until their return Home, allowing fifteen Miles for a Day's Travel ; and that those who were impressed or inlisted, and did not join the Army, have no Allowance made them in the Muster-Rolls.

B b b b

That

That there be allowed Wages to each Captain or chief Officer of the several Companies in said Expedition, fifteen Days after his return Home, for making up their respective Muster-Rolls; also for his Travel to *Boston*, in order to lay the same before the Court, allowing twenty Miles for a Day's Travel; and on making up the same, that they charge those that have received Fire-Arms, Bayonets and Drums, unless they have returned or shall return them.

That every Officer or Soldier who has received the Province Arms and Accoutrements thereto belonging, and do not return them into the Commissary-General's Office, the Sum of *two Pounds ten Shillings* shall be deducted out of their respective Wages in the Rolls, for each Fire Arm &c. not returned as aforesaid.

That every Officer and Soldier who joined the Army, and returned without Leave, or deserted, shall not be intitled to any Wages for his Service.

That each Officer, upon his presenting his Muster-Roll, shall *bonâ fide* Swear, that each Person born on his Roll has actually performed the Service, for the whole Time he is born on said Roll.

That a Column be inserted in the Muster-Rolls, for the Half-Pay of those Soldiers who Re-inlisted into the Service of the late Expedition, agreeable to the Resolve of this Court of the twenty eighth of *February* last. Sent up for Concurrence.

Commissary
General directed.

Voted, That the Commissary-General be directed to take Care of the Arms and Accoutrements belonging to the Province, that have already been or shall be returned in to his Office, and see that they are kept in proper Order.

Committee
to prepare a
Vote.

Ordered, That Mr. *Welles*, Col. *Williams*, and Col. *Otis*, be a Committee to prepare the Draught of a Vote to be passed this Court, for protecting Mr. *Henry Leddel*, late Sectetary to General *Winslow*, against all Arrests, whenever he shall be sent for to be enquired of by the General Court or their Committees, in Matters relative to the late Expedition against *Crown-Point*: and that it be an Instruction to said Committee to make Enquiry concerning any Frauds suggested to have been committed by Officers in allowing Persons to enlist into the Service and to receive the Province Bounty, and afterwards procuring them to be Commissioned, or in any other Way, whereby was occasioned a Deficiency of private Soldiers for the late Expedition.

Sent up for Concurrence.

Petition of
Wm. Little,
&c. bro't
down.

John Chandler, Esq; brought down the Petition of *Wm. Little*, and others, of the District of *Shirley*. Pass'd in Council, viz. In Council *January* 14th 1757. Read again, together with the Papers accompanying the same, and *Ordered*, That *John Greenleaf* and *George Leonard*, Esqrs; with such as the honourable House shall appoint, be a Committee to take this Petition, and the other Papers under Consideration, hear the Parties, and Report as soon as may be, what they judge proper to be done thereon.

Sent down for Concurrence.

Read

Read and concur'd ; and Col. *Otis, Thomas Foster, Esq;* and Col. *White*, are joined in the Affair.

The Committee appointed on the Petition of *Mordecai Ellis*, Report on Petition of Mordecai Ellis. Reported thereon.

Read, and accepted, and *Ordered*, That the Petitioner serve the Guardians of the *Masspee* Indians, with a Copy of this Petition, that they shew Cause, on the second Wednesday of the next Sitting of this Court (if any they have) why the Prayer thereof should not be granted. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Sabbati 15. Die Januarii, A. D. 1757.

ON a Motion made and seconded, *Ordered*, That Col. *Clap*, Committee for a Bill. Col. *White*, and *Caleb Cushing, Esq;* be a Committee to prepare and bring in a Bill, in Addition to the Laws for Regulating the Choice of Town-Officers.

The Committee appointed on the Petition of *Samuel and Lucy Winthrop*, Report on Petition of Samuel and Lucy Winthrop. Reported thereon.

Read and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Judge of Probate for the County of *Suffolk*, be, and he hereby is, allowed and directed to take Bonds of the Petitioner with sufficient Sureties, for the Payment of the Debts and Legacies of the Deceased, instead of taking an Inventory of said Estate. Sent up for Concurrence.

Richard Cutt, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee, and China Ware, in the County of *York*. Report on York Excise, bro't down.

Signed *John Hill*, per Order.

In Council *January 15th 1757.* Read and sent down.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *two Pounds sixteen Shillings & four Pence*, in Discharge of their Account of Time and Expenses exhibited.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Col. *Miller* Committee for a Bill. have Liberty to bring in a Bill for preventing Damage being done by Goats suffered to go at Large.

Mr. *Folger*, by Leave of the House, laid on the Table the Report of the Committee, for Farming out the Duties of Excise on Tea, Coffee and China Ware in the County of *Nantucket*. Report on Nantucket Excise

Which was read, and accepted : And

Ordered, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *twenty two Shillings and four Pence*, in Discharge of their Account of Time and Expenses exhibited. Sent up for Concurrence.

The

Report on
Memorial of
Jonathan Coffin
Esq;

The Committee appointed on the Memorial of *Jonathan Coffin*, Esq; in Behalf of the Inhabitants of the Island of *Nantuckett*, Reported thereon.

Read and accepted ; and *Ordered*, That the Prayer of this Memorial be so far granted, as that the Assessors for said Island, be and hereby are allowed in making their Assessment for their Province Tax the Current Year, to add thereto only the Sum of *One Thousand Pounds*, (for Deficiency of Soldiers) instead of *fifteen Hundred and six Pounds thirteen Shillings and four Pence*, which was added by this Court for that Reason, in the last Tax-Act ; and that the Province Treasurer be and hereby is directed, on their paying the said *One Thousand Pounds* into the Treasury, to give a Discharge in full for their said Additional Tax.

Sent up for Concurrence.

Resolve re-
lating to
Paving and
Repairing
Boston-Neck,
&c.

The Committee appointed to prepare the Draught of a Resolve relating to the applying the Monies, as they shall be raised by Lottery, for Paving *Boston-Neck*, Reported the following Vote ; which was read and accepted, *viz.*

Whereas in and by an Act of this Province, made and passed in the 29th Year of his present Majesty's Reign, Intituled An Act for raising a Sum of Money by a Lottery or Lotteries, for the Paving and Repairing the Neck leading out of the Town of Boston, called Boston-Neck ; Messieurs Samuel Grant, Thomas Hill, Joshua Henshaw, Joseph Jackson, Thomas Cushing, Samuel Hews, and John Scolley, of Boston, or any three of them, are allowed and impowered to set up and carry on one or more Lottery or Lotteries, amounting in the Whole to such a Sum as by drawing or deducting ten per Cent. out of the same, or out of each Prize or Benefit Ticket, may raise three Thousand Pounds and no more, which Sum (when raised) should be paid to the Town Treasurer of Boston, within ten Days after the Sale of the Tickets for the Lottery or Lotteries aforesaid, shall be compleated :

And whereas the aforesaid Samuel Grant, Thomas Hill, Joshua Henshaw, Joseph Jackson, Thomas Cushing, Samuel Hews, and John Scolley, have proposed to raise the said Sum of three Thousand Pounds, by five several Lotteries, and have accordingly set up and carried on one of the said five already, whereby they have raised two Thousand Dollars, and paid the same unto the Treasurer of the Town of Boston, and are now carrying on a second Lottery, for the raising twenty one Hundred Dollars more, which is near compleat :

And whereas a Doubt has arisen whether the Select-Men of the Town of Boston, for the Time being, who are by said Act impowered to contract and agree for the Paving and Repairing the Neck aforesaid, can enter upon, or begin the same, till the full Sum of Three Thousand Pounds be raised ; and thereupon a considerable Sum of Money must be unimproved, and the Work not effected for a long Time, which would be a public Damage :

Resolved,

Resolved, It is the true Intent and Meaning of said Act, that on the said *Samuel Grant, Thomas Hill, Joshua Henshaw, Joseph Jackson, Thomas Cushing, Samuel Hews*, and *John Scolley*, their receiving the Sum proposed to be raised by each Lottery, and paying the same to the Treasurer of the Town of *Boston*, the Select-Men of said Town for the Time being, be, and accordingly they hereby are, authorized and impowered to begin and carry on the said Work, and to draw out of the Treasury the Money so raised from Time to Time, for the End and Use provided for in said Act.

Sent up for Concurrence.

The Committee appointed to farm out the Duties of Excise on Tea, Coffee and China-Ware in the County of *Suffolk*, Reported, That they attended that Service on the 24th of *November* last, and put up the same to Sale at public Auction, when it was struck off to *Thomas Josselyn*, being the highest Bidder, for £. 555 ; but that he has neglected to give Bond for Payment of the Sum agreed on, into the public Treasury ; and thereupon pray the Direction of this Court.

Report on
Suffolk Ex-
cise.

Read, together with the Conditions of Sale accompanying the same, and agreed to by the said *Josselyn*, and *Resolved*, That the said Committee be, and they hereby are, directed to demand Bond of the said *Josselyn*, to the Province Treasurer, as prescribed by Law ; and on his refusing to comply, that they then proceed to sell the said Excise anew, as soon as may be ; and in Case there be any Loss to the Province on the Sale thereof, that the said Committee bring their Action against the said *Josselyn*, for Damages, and carry on and prosecute their said Action to final Issue.

Sent up for Concurrence.

The Committee appointed on the Petition of *Joseph Fairbanks*, and others, Reported thereon.

Read and accepted ; and *Ordered*, That the Prayer of this Petition be so far granted, as that there be allowed and paid out of the public Treasury to each of the Petitioners, thirteen Days Subsistence, reckoning the same at the Rate of *four Shillings* per Week, saving *John Medcalf*, who is not born on Capt. *Godfrey's* Muster-Roll, in Consideration of their Expences mentioned.

Report on
Petition of
Joseph Fair-
banks.

Sent up for Concurrence.

Then the House adjourn'd till Monday next, three o'Clock Afternoon.



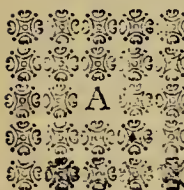
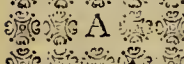
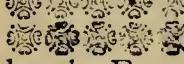
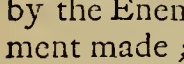
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V O T E S

Of the House of Representatives.

Lunæ 17. Die Januarii, A. D. 1757.

 Petition of Mr. *Jonathan Edwards*, and others, of *Stockbridge* in the County of *Hampshire*, setting forth, Petitions of
Mr. *Jonathan Edwards*.
 A that the Time for which the Soldiers posted there,
 is now almost expired, and the Inhabitants of said
 Town are very apprehensive of their being Attack'd
 by the Enemy before the Winter shall be over, and a new Establishment made ; and praying that a suitable Number of Soldiers may be continued there, agreeable to what the Inhabitants imagine they had Encouragement from the Government to hope for.

Read and Ordered, That this Petition lie on the Table.

A Petition of *Thomas Foster*, Esq; Agent for the Town of *Plymouth*, in the County of *Plymouth*, setting forth, that the Ponds Petition of
Tho. Foster,
Esq;
 which empty themselves into the River that runs thro' the Town
 of *Sandwich*, are situated just within the Bounds of *Plymouth*,
 where the Inhabitants thereof were wont to take Fish for
 their own Use, but by a late Act they are now prevented ;
 and praying that they may be allowed some Priviledge of the Fish
 that pass into said Ponds, either by taking them in the Ponds
 themselves, or by some Agreement to be made with the Town
 of *Sandwich*, as shall be judged reasonable.

Read, and the Question being put, *Whether it be the Mind of the House that the Town of Sandwich be notified to make Answer thereto ?* It pass'd in the Negative.

And thereupon, Ordered, That the Petition be dismiss'd.

The Committee appointed on the Memorial of *John Chandler*, Report on
Memorial of
John Chandler,
Jun. Esq;
 Jun. Esq; as enter'd the 20th of *October* last, Reported thereon
 verbally in Part : Which Report was accepted ; and thereupon,

Ordered, That the Prayer of this Memorial be so far granted,
 as that there be allowed and paid out of the public Treasury to
 the Memorialist, at the Rate of *six Pence* per Meal for the Sub-
 sistence of the several Men billeted by the Memorialist and others,
 during their stay at *Worcester*, as therein mentioned.

Sent up for Concurrence.

D d d d

Richard

Report on
Hampshire
Excise bro't
down.

Richard Cutt, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee and China-Ware in the County of *Hampshire*.

In Council *January* 17th 1757. Read and sent down.

Read and accepted; and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *twenty one Shillings*, in Discharge of their Account of Time and Expences exhibited. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Partis 18. Die Januarii, A. D. 1757.

Petition of
Mary Gates.

A Petition of *Mary Gates*, Administratrix of the Estate of *Thomas Wheeler*, late of *Stow* in the County of *Middlesex*, deceased, setting forth, that having applied the Personal Estate of the Deceased, to the Payment of his Debts, &c. there yet remains considerable Part of the Debts unpaid; that selling off Part of the Real Estate, cannot be done without Damage to the Whole, and the Income thereof will, by no Means, be equivalent to the Interest of the Money it might be sold for; and praying Liberty to make Sale of the Whole, for the Benefit of the Heirs.

Read and *Ordered*, That *Col. Clap*, *Col. Bradford*, and *Mr. Baker*, be a Committee to consider this Petition, and Report.

Petition of
Robert Noble,
&c.

A Petition of *Robert Noble*, and others, living on Lands West of *Sheffield*, setting forth, that they entered on said Lands by Order of a Committee of the General Court, but not having purchased of the Natives, the said Committee could not make a Conveyance thereof to them, and that the Indians being uneasy at Persons living on said Land, they were obliged to purchase the same of them, for which they had the Directions of Part of the said Committee; and praying their said Purchase may be ratified and confirmed.

Read and *Ordered*, That this Petition be committed to *Col. Otis*, *Mr. Lyman*, *Mr. Humphry*, *Mr. Witt*, and *Col. Clap*, to consider, and Report thereon.

[Committee] Said Com-
on Petition
of *John Halenbeck*, &c.

Also, That the said Committee take under Consideration the Petition of *John Halenbeck*, and others, as entered the 8th Instant, with the Petition of *Hendrick Burghardt*, and others, praying for a Grant of a Township of the Lands lying North-West of *Stockbridge*, according to the Limits and Bounds mentioned; and other Petitions of the like Nature that have or may be brought in, and Report what they judge proper for this Court to do thereon.

Resolve on
Excise Bill.

The House, took under Consideration the Bill for granting an Excise on spirituous Liquors; and the Question being put, *Whether it be the Mind of the House, that the said Duties should be farmed out for the next Year?* Resolved in the Affirmative.

Thereupon, A Bill Intituled *An Act for granting to his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemons and Oranges*; being read in Part; and a Debate had thereon:

Ordered,

Ordered, That Col. *Williams*, Col. *Otis*, and Col. *Cotton*, be a Committee to prepare and bring in a Bill for continuing the last Year's Excise-Act on spirituous Liquors. for a Bill.

Mr. Secretary *Oliver* brought down a Message from his Honour the Lieut. Governour : Which he read, and laid on the Table ; and then withdrew.

His Honour's said Message is as follows, *viz.*

Gentlemen of the Council, and House of Representatives,
I Have received a Letter from his Excellency the Right Hon. the Earl of Loudoun, informing me of his being now upon his Way to Boston. the Message from his Honour.

As his Lordship expects, that some Persons should be impowered by the Government, to act in Concert with Commissioners from some of the Neighbouring Governments, upon such Proposals as he shall be pleased to lay before them ; I recommend it to you, Gentlemen, to make Choice of some suitable Persons without Delay, who may be impowered to appear and act in Behalf of this Government at the Conferences, which may be had by the Commissioners, in Consequence of his Lordships Proposals.

Council Chamber 18. Jan. 1757.

S. PHIPS.

His Honour's foregoing Message was read : And

Ordered, That the same be taken under Consideration at four o'Clock Afternoon.

It being represented to the House, that notwithstanding his Honour's Directions for Restraining Persons from coming off from Castle-Island, yet it is frequently done, to the greatly endangering the Inhabitants being infected with the Small-Pox : Thereupon,

Ordered, That Mr. Speaker, Mr. *Welles*, and Mr. *Flucker*, with such as the honourable Board shall join, be a Committee to wait on the Right Honourable the Earl of *Loudoun*, as soon as conveniently may be, after his Lordship's Arrival at *Boston*, to Request his Lordship that he would be pleased to give Orders, That none of the Soldiers in his Majesty's Service now in Quarters at *Castle-Island*, or any Others who have any Connexion with them, may be allowed on any Pretence whatsoever, to come off from said Island, so long as there shall be any Danger of their Spreading the Infection of the Small-Pox. Sent up for Concurrence. Committee to wait on Lord Loudoun.

The Report of the Committee appointed to enquire into a Fraud suggested, relating to *John Wiley* and others. Report of a Committee.

Signed *Edward Davis*, per Order. Was

Read and Ordered, That Mr. *Gridley*, Col. *White*, and Col. *Williams*, be a Committee to take this Report under Consideration, and Report what they judge proper for this Court to do thereon.

Post Meridiem.

James Minot, Esq; brought down the following Resolve, as prepared by a Committee of both Houses, appointed for that Purpose. Pass'd in Council, *viz.* In Council January 18th 1757. Resolve relating to two armed Vessels.

Whereas, in the Act lately pass'd this Court, providing two Armed Vessels &c. it is not so fully expressed what Select-Men or Assessors, are impowered and directed to assess and tax the Vessels therein mentioned :

Therefore,

Resolved,

Resolved, That the Select-Men or Assessors, [to be chosen next *March*, be the Persons that shall assess and tax the Vessels aforesaid, that have been liable to be taxed, from the first of last *November* to this Time, and from this Time to the first of *November* next ; and the Select-Men or Assessors, that after next *March* shall be chosen Annually, during the Continuance of said Act, shall be the Persons that shall assess and tax all the Vessels in their respective Towns liable to be taxed ; the Time to be reckoned from the first of *November* Annually : And the Treasurer of this Province, is hereby directed, to send to the Assessors of the Maritime Towns, a Copy of said Act, and this Resolve.

Sent down for Concurrence. Read and concur'd.

Petition of
Francis Whipple.

A Petition of Mr. *Francis Whipple*, Executor of the last Testament of *Thomas Lampson*, late of *New-Braintree* District, deceased, setting forth, that his Testator bequeathed one Half of his Lands to *Abigail Whipple*, and the other Half to his Brothers and Sisters, seven of whom are Minors ; and as the selling the Whole is apprehended to be more Advantageous, than selling Part only, it being much more likely to fetch the full Worth ; therefore praying that he may be empowered to dispose of the said Minors Interest in the Premises.

Read, and *Ordered*, That Mr. *Paine*, Mr. *Newhall*, and Mr. *Marsh*, be a Committee to consider this Petition, and Report thereon.

Petition of
Benjamin Morris, &c.

A Petition of *Benjamin Morris* and others, Heirs to the Estate of *John Hollowell*, late of *Brimfield* in the County of *Hampshire*, deceased, setting forth, that they obtained Leave of the Superiour Court to sell Part of the Real Estate of the Deceased, to pay his just Debts, that the Whole of said Estate, lying in one Tract, is capable of making a good Farm, and might be sold to Advantage, but not so when divided ; and praying Liberty to make Sale of the Whole, the Overplus, after discharging said Debts, to be divided among the several Heirs.

Read and *Ordered*, That *Benjamin Reed*, Esq; Major *Stockbridge*, and Mr. *Humphry*, be a Committee to take this Petition under Consideration, and Report thereon.

Memorial of
Samuel Mirick, &c.

A Memorial of *Samuel Mirick* and *Benjamin Leonard*, in Behalf of the Inhabitants of that Part of the Town of *Springfield* in the County of *Hampshire*, lying on the South of *Agawam-River*, praying that their Petition presented to the General Court in *May 1754*, may be Reconsidered, and that they may be set off as a distinct Town or District, or that a Committee may be sent to view their Situation, and consider their Circumstances, and hear the Petitioners thereon ; which the Committee formerly appointed by some Means or other, failed of doing.

Read and *Ordered*, That this Memorial lie on the Table, 'till Col. *Worthington*, Member for the Town of *Springfield*, shall come to the House.

Vote for
Commissioners.

The House, according to Order, took under Consideration his Honour's Message of this Forenoon ; and after a Debate thereon,

Voted,

Voted, That five Commissioners be chosen to confer with Lord *Loudoun*, viz. Three by the House, by written Vote, and two by the honourable Board, if they shall see fit to concur. And

Ordered, That Col. *Cotton*, Col. *Hale*, and Mr. *Flucker*, be a Committee to collect, count and sort the Votes, and Report the Choice that shall be made.

The House then proceeded to bring in their Votes accordingly. Which being collected, counted and sorted by the said Committee, they Reported, that Mr. Speaker, Col. *Otis*, & Mr. *Welles*, were chosen.

Voted, That there be five Commissioners chosen on the Part of this Government, to confer with the Right Honourable the Earl of *Loudoun*, the Governours of the Neighbouring Colonies, and such Commissioners as may be appointed by their respective Governments, on such Matters as his Lordship shall think proper to lay before them ; and that Mr. Speaker, Col. *Otis*, and Mr. *Welles*, with such as the honourable Board shall appoint, be the Commissioners for that Purpose ; and that they Report thereon from Time to Time.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Mercurii 19. Die Januarii, A. D. 1757.

William *Brattle*, Esq; brought down the Report of the Committee of both Houses, appointed on the Petition of *Wm. Little*, and others of the District of *Shirley*, & Papers accompanying the same. Report on Petition of District of Shirley, bro't down.

Signed *John Greenleaf*, per Order.

Pass'd in Council, viz. In Council January 18th 1757.

Read, and accepted, and thereupon *Ordered*,

That the Land petitioned for, together with the Inhabitants dwelling thereon, be set off from the Town of *Lunenburg*, and annexed to the District of *Shirley*, so far as it relates to all Precinct Charges, viz. Building and Repairing Meeting-Houses, settling and supporting Ministers, and that they meet and vote with said District, in all Affairs relating to building Meeting-Houses, and supporting of Ministers in said District ; saving that the Lands or Meadows, laid out or granted by the Town of *Lunenburg* to and for the Use of the Ministry, shall still remain to said *Lunenburg* as before ; saving also that *Abner Jackman*, *Moses Mitchel*, *George McFarland*, *David Carlisle*, *David Pierce*, *Andrew Mitchel*, and *John Richards*, they nor their Estates contained within the Mile Petitioned for, shall be obliged to pay any Part of the Charge of building a Meeting-House, or settling the first Minister in the said District of *Shirley*.

Sent down for Concurrence.

Read and non-concurred.

A Petition of *Philip Wheeler*, of *Rehoboth* in the County of *Bristol*, praying an Allowance of seven Dollars for a Gun impressed for the *Crown-Point* Expedition in 1755, and delivered to one *Peleg Church*, who died in said Service at *Fort William-Henry*, for which he has received no Consideration. Petition of Phillip Wheeler.

E e e e

Read

Read and committed to the Committee appointed on Petitions from sick and wounded Soldiers to consider, and Report thereon.

Petition of
John Ashley,
Esq;

A Petition of *John Ashley*, Esq; of *Sheffield* in the County of *Hampshire*, shewing that on the Alarm in *September* 1754, he repaired with a Number of Men to the Relief of *Stockbridge*, and *Pontoo-suck*, where he left eleven Men to Guard the Inhabitants a few Days, on Promise of paying them two *Shillings*. per Day, which he has since paid ; and praying an Allowance for the said Service, agreeable to the List of the Men, and Time exhibited.

Read and Ordered, That Mr. *Heath*, Col. *Lawrence*, and Major *Stockbridge*, be a Committee to consider this Petition, and Report thereon.

Post Meridiem.

Message to
the Board.

On a Motion made and seconded, Ordered, That Capt. *Hubbell* go up with a Message to the honourable Board, to desire that a Petition of *J. Willard* and others, as entered the 8th of *June* last, and afterwards referred, may be sent down.

Who returned, that he had delivered the Message.

Petition of
John Ashley,
Esq;

A Petition of *John Ashley* of *Sheffield*, in the County of *Hampshire*, Esq; setting forth, that a Committee of the General Court, impowered for that Purpose, conveyed (some Time since) to one *Miller* and others, the Province's Right to a Township laid out by them West of *Sheffield*, since which, Capt. *Robert Noble*, and others have purchased the same of the Indians ; that on their applying to the General Court for the Confirmation of said Purchase, the said *Noble* and others were ordered to Quit-claim the same to those who purchased of their Committee ; who, notwithstanding, have left out the Petitioner and sundry others, and admitted other Persons in their Room, whereby they are in Danger of losing their Right in said Township ; and praying that some suitable Persons may be appointed to see that the said *Noble*, &c. make their Conveyance, agreeable to the Directions of the Court, on their paying them the Consideration of their Indian Purchase.

Bill read.

Read, and after a Debate thereon, Ordered, That the Consideration of this Petition, be referred for the present.

On a Motion made and seconded, Ordered, That a Bill lying on the Files of the House, Intituled *An Act for further regulating the Proceedings of the Courts of Probate within this Province*, be revived : And thereupon the said Bill was read a first Time ; and

Ordered, That the same have a second Reading, to Morrow Morning at Eleven o'Clock.

Petition of
Sam. Brown.

A Petition of *Samuel Brown* of *Stockbridge*, in the County of *Hampshire*, setting forth, that being made Under-Sheriff in said County, he was directed in *August* 1753, to apprehend *Robert* and *John Vandusen*, for a Riot, and bring them before one of his Majesty's Justices of the Peace for said County, where they Recognized to appear at the next Court of General Sessions of the Peace for said County,

County, but did not appear ; and their Bonds being released by his Excellency Gov. SHIRLEY, he has lost all his Fees, and the Expences he was at in said Affair ; and praying an Allowance therefor, agreeable to the Account exhibited.

Read, and committed to Col. *White*, Col. *Williams*, and Col. *Clap*, to consider and Report thereon.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Jovis 20. Die Januarii, A. D. 1757.

A Petition of *Seth Bobbitt*, of *Norton* in the County of *Bristol*, setting forth, that being one of the Creditors of the Estate of *Nehemiah King*, late of said Town, deceased, he presented his Account to the Administrator, who had represented the same Insolvent, and afterwards to Commissioners appointed to receive the Claims on said Estate, who refused or neglected to allow the same ; by Means whereof he is in Danger of losing his just Due from said Estate ; and praying that the said Judge of Probate may be empowered to allow a further Time for the said Commissioners to examine the Claims to said Estate, provided said Administrator should think his said Account just and reasonable.

Read and committed to Col. *White*, Mr. *Humphry*, and Capt. *Sprague*, to consider this Petition, and Report thereon.

The Committee appointed to prepare and bring in a Bill for continuing last Year's Excise-Act on spirituous Liquors, Reported that they had attended that Service, but on examining said Act, they find there are several Clauses of such a Nature, that the said Act cannot be continued by any short Bill for that Purpose :

And thereupon,

Resolved, That the House Re-assume the Consideration of the Excise-Bill, as Reported by the Committee first appointed to bring in a Bill for that Purpose : Whereupon the said Bill Intituled

An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemons and Oranges ; was read in Part : And after a large Debate had thereon ; the further Consideration of the Bill was referred.

A Petition of *Nathaniel Hooper* of *Bridgwater*, in the County of *Plymouth*, praying that he may be allowed a Re-hearing of an Action before the Superiour Court to be held in *July* next for said County, brought against him by *Benjamin Welbore*, for a Lott of Cedar-Swamp in said Town, he being out of the Province in the late *Crown-Point* Expedition, at the Trial before said Court in *July* last, and no proper Care taken to maintain his Cause, nor were his Evidences produced to support his Title.

Read and Ordered, That this Petition lie on the Table.

Post Meridiem.

The Committee appointed on the Petition of *Francis Whipple*, Reported thereon.

Read *ple.*

Read and accepted ; and *Ordered*, That the Prayer of this Petition be so far granted, as that the Petitioner, together with *Peter Lampson*, the Father of the Minors therein mentioned, be and they hereby are impowered on Behalf of said Minors, to join in the Sale of said Lands, with those that are of Age, interested therein, and to make and pass a good Deed or Deeds of Sale in the Law of the same ; provided that in such Sale, he follow the Rules and Directions of the Law respecting the Sale of Real Estates by Executors and Administrators, and give sufficient Caution to the Judge of Probate for the County of *Worcester*, to be accountable for the Produce of said Sale. Sent up for Concurrence.

Petition of
Moses Marcy,
Esq;

A Petition of *Moses Marcy* of *Sturbridge*, in the County of *Worcester*, Esq; praying that the Sum of *four Pounds four Shillings*, which he agreed to pay into the Province Treasury for the Excise on Tea, Coffee and China-Ware in said County, for the Year 1754, may be remitted him, all the Persons licenced there producing Certificates from Persons licenced in the County of *Suffolk*, which, as the Law then stood, excused them from paying any Excise on said Articles.

Read and *Ordered*, That Col. *Williams*, Capt. *Richardson*, and Col. *Buckminster*, be a Committee to consider this Petition, and Report thereon.

Debate on
Excise-Bill.

The House, re-assumed the Consideration of the Bill Intituled, *An Act for granting unto his Majesty an Excise upon Spirits distilled, and Wine, and upon Limes, Lemmons and Oranges* : Which was read a second Time ; and after a further large Debate thereon,

Ordered, That the Bill have a third Reading, to Morrow Morning at ten o'Clock.

Petition of
J. Willard,
&c. bro't
down.

Isaac Royall, Esq; brought down the Petition of *J. Willard*, and others, and a Petition of *Trewman Powell*, and others, as entered the 17th of *August* last, and laid the same on the Table, and then withdrew. And

Order on
said Petiti-
ons.

A Motion being made, that the House would proceed to pass on the said Petitions ; a Debate was had thereon ; and

Ordered, That the Consideration thereof be referred 'till the Committee appointed on the Letter from Sir CHARLES HARDY, to his Honour the Lieut. Governour, dated the 19th of *December* last, referred to in his Honour's Speech of the 6th Instant, and Report.

Committee
for Ac-
counts.

On a Motion made and seconded, *Ordered*, That Mr. *Flucker*, *James Russell*, and *Stephen Hall*, Esqrs; with such as the honourable Board shall join, be a Committee to examine into, and prepare the Accounts of this Province with the neighbouring Governments, and lay the same before this Court.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Veneris 21. Die Januarii, A. D. 1757.

THE Committee appointed on the Petition of Capt. *Ithamar Hubbell*, Reported thereon. Report on
Petition of
Ithamar Hubbell.

Read and accepted; and *Ordered*, That the Prayer of this Petition be granted, and that there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *nineteen Pounds four Shillings*, in full for billeting forty eight Soldiers, two Weeks each in the Year 1755, as therein mentioned.

Sent up for Concurrence.

The Committee appointed on the Petition of *Moses Marcy*, Esq; Reported thereon. Report on
Petition of
Moses Marcy
Esq;

Read and accepted; and *Ordered*, That the Prayer of this Petition be granted, and that the Sum of *four Pounds four Shillings*, be remitted to the Petitioner: and the Treasurer is hereby directed to deliver up the Bond mentioned to the Petitioner accordingly.

Sent up for Concurrence.

And on a Motion made and seconded, *Ordered*, That a Petition of *Thomas Bowen*, Esq; as entered the 10th of *June* last, be revived; and that the same be committed to the said Committee, to consider, and Report thereon. Petition of
Tho. Bowen,
Esq; revived.

Eleazer Porter, Esq; brought down the Petition of *Rebecca Lynde* Administratrix of the Estate of *John Lynde*, late of *Leicester*, deceased, and others, praying for Liberty to make Sale of Part of the Real Estate of the Deceased, to enable them to pay the just Debts due therefrom. Petition of
Rebecca Lynde
bro't down.

Pas'd in Council, viz. In Council *January* 20th 1757.

Read and *Ordered*, That the Prayer of the Petition be granted; and that the Petitioners be, and they are, hereby empowered to sell so much of the Deceased's Real Estate, for the most the same will fetch, as may produce the Sum of *Two Hundred and sixty Pounds*, Lawful Money; that they post up Notifications of the Time and Place of Sale, in the Town where the Land lies, and in the Shire Town of the County of *Worcester*; and that they execute a good Deed or Deeds in the Law for conveying the same, they giving sufficient Caution to the Judge of Probate for the said County, to be accountable for the same. Order there-
on.

Sent down for Concurrence. Read and concur'd.

The Committee on the Petition of *John Seager*, Reported thereon. Report on

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner the Sum of *twenty six Shillings and eight Pence*, in full for the Gun mentioned. Petition of
John Seager.

Sent up for Concurrence.

John Hill, Esq; brought down the following Vote of Council, viz. In Council *January* 20th 1757.

Ordered, That *John Erving* and *William Brattle*, Esqrs; with such as the honourable House shall join, be a Committee to consider of some proper Measures to free the Province of the Expence of supporting a great Number of the French Inhabitants of *Nova-Scotia*, Committee
on French
Neutrals.

Scotia, now in the Province, or to remove them from hence, if it shall be judged expedient, and make Report.

Sent down for Concurrence.

Read, and concur'd, and Col. *Williams, Thomas Foster*, Esq; and Mr. *Witt*, are joined in the Affair.

delete on] Resolve on
on *Suffolk*
Excise.

Benjamin Lincoln, Esq; brought down the Resolve relating to the Sale of the Excise on Tea &c. in the County of *Suffolk*. Pass'd in Council, viz. In Council *January* 17th 1757. Read and concur'd, with the Amendment at A. Sent down for Concurrence.

Read and concur'd.

Excise Bill,
read and re-
ferred.

A Bill Intituled *An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemons and Oranges*.

Read a third Time, and after a large Debate thereon, the further Consideration thereof was referred.

Post Meridiem.

Vote of
Council re-
lating to
French Neu-
trals, bro't
down.

John Chandler, Esq; brought down the following Vote of Council, viz. In Council *January* 21st 1757.

Ordered, That the Select-Men or Overseers of the Poor of the several Towns, wherein any of the French Inhabitants of *Nova-Scotia* are placed, be directed, whenever they shall offer an Account of their Disbursements for the Support of them, to annex thereto a List of the several French Persons in such Town, with an Account of their Age and Sex, and the Circumstances of their Health, and Capacity for Labour. Sent down for Concurrence.

Read and concur'd with the Amendment at A, viz. add—
And that a Copy of this Vote be printed, and sent to the several Towns and Districts where any of the said Inhabitants are placed.—

Sent up for Concurrence.

Petition of
Nath. Wales,
bro't down.

John Greenleaf, Esq; brought down a Petition of *Nath. Wales*, Guardian to *Ann & Ruth Fitch*, Minors, praying Liberty to make Sale of their Interest in a small Piece of Land, with the Buildings thereon. Pass'd in Council, viz. In Council *January* 20th 1757. Read and Ordered, That the Prayer of this Petition be granted; and that the Petitioner in his Capacity as Guardian to the Minors within mentioned be, and he hereby is, empowered to make Sale of the said Land, and the Buildings thereon, for the most the same will fetch, and to give a good and sufficient Deed in the Law for the same; provided, he give sufficient Caution to the Judge of Probate for the County of *Suffolk*, to be accountable for the Produce of the same, and that he will pay to each of the said Minors, their respective Share, together with lawful Interest, on her Arrival at the Age of twenty one Years, or on her Marriage, which shall first happen, otherwise to her lawful Heirs.

Sent down for Concurrence.

Read and concur'd.

Petition of
Joseph Briggs
bro't down.

John Greenleaf, Esq; brought down a Petition of *Joseph Briggs*, praying Liberty to sell spirituous Liquors by Retail. Pass'd in Council, viz. In Council *January* 20th 1757. Read and Ordered, That the Prayer of the Petition be so far granted, as that the Justices
of

of the Court of General Sessions of the Peace for the County of *Suffolk* be, and hereby are, authorized and impowered to grant the Petitioner Licence to Retail spirituous Liquors (if they see fit) he first obtaining the Approbation of the Select-Men of the Town of *Hingham*, the Time for granting Licences being elapsed notwithstanding.

Sent down for Concurrence.

Read and concur'd.

John Greenleaf, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee and China-Ware, in the County of *Essex*. In Council January 21st 1757. Read and sent down.

Report on
Essex Excise.

Read and accepted, and Ordered, That there be allowed and paid out of the public Treasury, to the said Committee, the Sum of *two Pounds ten Shillings & four Pence*, in full of their Account of Time and Expences exhibited. Sent up for Concurrence.

Richard Cutt, Esq; brought down the Petition of *Moses Marcy*, Esq; Pass'd in Council, viz. In Council January 21st 1757. Read, and concur'd with the Amendment at A.

Sent down for Concurrence. Read and concur'd.

The House Re-assumed the Consideration of the Bill Intituled *An Act for granting unto his Majesty an Excise upon Spirits distilled, and Wine, and upon Limes, Lemons and Oranges*: And, after a further Debate thereon, The Question was put,

Further De-
bate on Ex-
cise-Bill.

Whether the Bill pass to be Engross'd?

And it pass'd in the Negative. And

Ordered, That Col. *Hale*, Col. *Otis*, Col. *White*, Col. *Worthington*, and Mr. *Flucker*, be a Committee to prepare and bring in an Excise-Bill.

Committee
for a Bill.

On a Motion made and seconded, Ordered, That Col. *Lawrence*, Col. *Buckminster*, and Mr. *Gibbs* of *Newton*, be a Committee to consider what Deductions it may be proper to make from the Wages of such Soldiers who received the Province Arms, and have returned the Guns, but have not returned the Bayonets, or other Accoutrements received by them, and Report.

Committee
on Soldiers
Wages.

On a Motion made and seconded, Ordered, That Col. *Worthington*, Mr. *Witt*, Mr. *Morey*, *Jacob Cushing*, Esq; and Mr. *Merrell*, be a Committee to consider what they think proper to be done, for securing and preserving the Arms sent by the Committee of War to the County of *Hampshire*, for Col. *Dwight's* Regiment, on the late *Crown-Point* Expedition: Also that the said Committee consider of some effectual Method of having the Province Arms and Accoutrements, which have been delivered by the Commissary-General for said Service, duly returned into his Office again, and Report.

Committee
relating to
Fire-Arms,
&c.

Mr. Secretary *Oliver* came down with a Message from the honourable Board, to acquaint the House, That the Vote of the two Houses for appointing a Committee to confer with Lord *Loudoun*, the Governours, and Commissioners from the Neighbouring Governments, had been laid before his Honour, but that he did not see Cause to give his Consent thereto.

Message
from the
Board.

And

And that the Board on further Consideration, apprehending there was an Impropriety in the Vote as it then stood, had substituted another in Lieu thereof ; which he laid on the Table, and then withdrew. The said Vote is as follows, viz.

Vote of
Council re-
lating to
Commissio-
ners, &c.
br'e't down.

In Council *January 21st. 1757.* Voted, That *Tomas Hutchinson*, and *William Brattle*, Esqrs; with such as shall be joined by the honourable House, be a Committee to receive any Proposals which the Right Hon. the Earl of *Loudoun* may judge proper to lay before them, and to confer upon such Proposals, with Commissioners or Committees appointed by the Neighbouring Governments for the like Purpose ; the said Committee to Report from Time to Time, as there may be Occasion. Sent down for Concurrence.

Read and concur'd, and Mr. Speaker, Col. *Otis*, and Mr. *Welles*, are joined in the Affair.

Petition of
Josiah Day,
&c.

A Petition of *Josiah Day*, and sundry others, in Behalf of the Inhabitants of the second Precinct in *Springfield*, in the County of *Hampshire*, living on the West-Side of *Connecticut-River*, setting forth the Inconveniencies and Difficulties they are subject to, in transacting their Town Affairs, by Reason of the said River which passes thro' that Town ; and praying they may be erected into a distinct Township by themselves.

Read, with the Papers accompanying the same ; and Ordered, That the Petitioners notify the Town of *Springfield* with this Petition, by leaving an attested Copy thereof with the Clerk of said Town, that they shew Cause (if any they have) on the second Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Order 'on
Memorial of
*Samuel Mi-
rick*, &c.

Also, The Memorial of *Samuel Mirick*, and *Benjamin Leonard*, as enter'd the 18th Instant, was read again ; and

Ordered, That the Consideration of this Petition be referred, 'till the Town of *Springfield* shall make Answer, if they see fit so to do, to the foregoing Petition of *Josiah Day*, and others.

A Petition of *Nathaniel Hooper*, as enter'd Yesterday, was read again ; and Ordered, That the Petition be dismiss'd.

Petition of
*Wrestling
Brewster*.

A Petition of *Wrestling Brewster*, Jun. of *Kingston* in the County of *Plymouth*, setting forth, that on the 6th Instant, he was carried before *Samuel Bartlett*, Esq; on Complaint made by *Robert Foster*, for Lying, Libelling and Defaming the said *Robert*, for which he was fined by the said Justice, and on claiming an Appeal from his Judgment, was denied the same ; and praying he may be allowed an Appeal to the next Court of General Sessions of the Peace, to be held for said County.

Order there-
on.

Read and Ordered, That the Petitioner serve the within-named *Samuel Bartlett*, Esq; and the Complainant *Robert Foster*, with a Copy of this Petition, that they shew Cause (if any they have) on the second Wednesday of *February* next, why the Prayer thereof should not be granted. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Sabbati 22. Die Januarii, A. D. 1757.

A Petition of *Thomas Whitney*, living on Lands West of *Sheffield*, in the County of *Hampshire*, praying an Allowance of his Account of Time & Expences exhibited, in apprehending *Abraham Yates*, Sheriff of the County of *Albany*, and *Luke Wingart* of *Albany*, and bringing them before one of his Majesty's Justices of the Peace for said County of *Hampshire*, where they Recognized to Appear at the Court of General Sessions, to be held at *Springfield*, in *May 1755*; that their Bonds were afterwards released, without the Parties being called, whereby he is prevented from recovering any Part of his said Account. Petition of Tho. Whitney.

Read and Ordered, That this Petition be dismiss'd.

The Committee appointed to consider what Deductions are proper to be made from the Wages of such Soldiers, as have not returned the Accoutrements received with the Province Arms, Reported thereon. Vote relating to Soldiers Wages

Read, and accepted; and Voted, That there be deducted out of the Wages of every Soldier in the last *Crown-Point* Expedition, who received the Province Arms, *nine Shillings* for not returning his Bayonet; and *one Shilling* for not returning his Sling into the Commissary-General's Office; to be made up in the Muster-Roll accordingly. Sent up for Concurrence.

Mr. Speaker communicated to the House, an Order drawn by *Samuel Moody*, on the Treasurer, for the Sum due to his Son *Gideon* (since deceased) for his Subsistence on his Return from the Army, with proper Vouchers that he received no Part thereof, of Taverners or others, on the Province's Account. Order on Sam. Moody's Account.

Read and Ordered, That the Province Treasurer be, and he hereby is, directed to pay to *Eleazer Porter*, Esq; the Sum due to the within-named *Gideon Moody*, for his Subsistence on his Return home from the Expedition against *Crown-Point*, in the Year 1755, since deceased, the Order of this Court notwithstanding.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Col. *Clap* go up with a Message to the honourable Board, to desire the Bill passed the House some Time ago, for erecting a Plantation called *Narragansett* Numb. 2. into a Township, may be sent down. Message to the Board.

Who returned, that he had delivered the Message.

Isaac Royall, Esq; brought down the said Bill accordingly, and laid the same on the Table; Thereupon, Bill bro't down & read.

A Bill Intituled *An Act for erecting a new Town in the County of Worcester*, by the Name of — Was

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

The Committee formerly appointed to prepare a List of the Travel and Attendance of the Members of the House, Reported a List of the same for the Sessions in *October* last: Which was read, examined and allowed; and Report of Committee for List.

Ordered, That the Clerk of the House, certify the same accordingly.

G g g g

The

Report of a
Vote for
protecting
Mr. Henry
Leddel, from
Arrests, &c.

The Committee appointed to prepare a proper Vote to be pass'd this Court for the Protection of Mr. *Henry Leddel*, Reported the following Draught ; which was read and accepted. *Viz.* Whereas it is represented to this Court, that Mr. Henry Leddel of Boston, who was Secretary to General Winslow, in the late Expedition against Crown-Point, will be wanted to attend on the Committees of this Court, appointed to make Enquiry into any Frauds on the Government, and for the Muster-Rolls &c.

And, Whereas the said Leddel is in Danger of having his Person exposed to Writs and Executions from his Creditors &c. Therefore,

Voted, That said Leddel be, and he hereby is, set at Liberty during the Sitting of this Court, in their present Sessions, from all Arrests, Writs, Processes and Executions, that shall be served on him during this Sessions ; and any Writ, Execution or other Civil Process that shall be served on him for that Time, shall, and hereby is declared, to be null and void. Sent up for Concurrence.

Order rela-
ting to Of-
ficers Oath.

On a Motion made and seconded, Ordered, That Col. *Williams*, Col. *Jones*, and Col. *Cotton*, be a Committee to prepare the Draught of a Vote, empowering the Treasurer to administer an Oath to the Officers who received the Bounty Money for levying Soldiers, for the late *Crown-Point* Expedition, and Report.

Memorial of
Capt. *Wm.*
Williams.

A Memorial of *William Williams*, Captain of a Company in his Majesty's 51st Regiment, setting forth, that in the Year 1754, a Number of Soldiers from this Government, and that of *Connecticut*, were sent for the Protection of the Inhabitants of *Pontoosuck*, whilst they should be employed in Fortifying themselves against the Enemy, the doing which was strongly recommended to them ; whereupon he billeted the said Men, and built a Fort at his own Expence, his Account whereof he was informed, had been allowed by the General Court ; but by Reason of his Absence in his Majesty's Service, he has not received any Pay therefor, nor can he without the further Order of the Court ; and praying that the same may be paid him, together with the Charge he has been at since, in Picketting in the said Fort, and that he may have Directions relative to the same, and the Province Stores now there.

Read and Ordered, That Mr. *Witt*, Mr. *Lyman*, & Mr. *Paine*, be a Committee to make Enquiry into the Facts alledged, consider this Memorial, & Report what they judge proper for this Court to do thereon.

Petition of
Sarah Hunt,
bro't down.

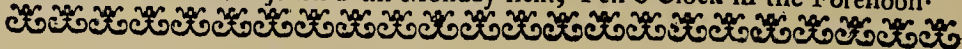
John Otis, Esq; bro't down the Petition of *Sarah Hunt* of Boston, Widow, praying that her Person may be secured against any Executions that may be issued, on Account of Debts due from the late *John Salmon*, deceased, and Company, for the Reasons mentioned.

Pass'd in Council, viz. In Council January 22d 1757.

Read and Ordered, That *John Cushing*, and *William Brattle*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition under Consideration, hear the Parties, and Report thereon. Sent down for Concurrence.

Read and concur'd ; and Col. *Quincy*, Col. *Worthington*, and Col. *Murray*, are joined in the Affair.

Then the House adjourn'd till Monday next, Ten o'Clock in the Forenoon.



V O T E S

Of the House of Representatives.

Lunæ 24. Die Januarii, A. D. 1757.

THE Committee appointed on the Petition of *Mary Gates*, Reported thereon. Report on
Petition of
Mary Gates.

Read and accepted; and *Ordered*, That the Prayer of this Petition be granted; and that the Petitioner be, and she is hereby impowered, in her said Capacity of Administratrix, to make Sale of the Whole of the Real Estate mentioned, for the most the same will fetch, and to make in due Form of Law, a Deed or Deeds of Conveyance thereof, she observing the Directions of the Law, respecting the Sale of Real Estates by Executors and Administrators, which Deed when duly executed and acknowledged, and recorded in the Registry of Deeds for the County of *Middlesex*, shall be deemed, and is hereby declared to be good and valid in Law to all Intents and Purposes whatsoever; provided she give sufficient Caution to the Judge of Probate, &c. for said County, to be accountable for the Produce arising by said Sale, for paying the just Debts of the said Deceased, and to pay the Overplus, together with lawful Interest for the same, to the said Minors, as they shall respectively arrive at lawful Age, or be married, otherwise to the lawful Heirs of the said Deceased.

Sent up for Concurrence.

The Committee appointed on the Petition of *David Kitteridge*, Reported thereon. Report on
Petition of
David Kitteridge.

Read and accepted; and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *William Stickney*, for the Use of the Petitioner, the Sum of *forty Shillings*, in full Consideration for the Loss of his Gun mentioned.

Sent up for Concurrence.

Mr. Speaker communicated two Letters he had just received from Mr. Agent *Bollan*, dated *Liecester-Street, October 29th*, and *November 13th 1756*: Which were read, together with the several Papers accompanying the same. Letters from
Mr. Agent
Bollan read.

H h h h

On

Committee
for Muster-
Roll.

On a Motion made and seconded, *Ordered*, That Mr. *Stockbridge*, Col. *Clap*, Capt. *Thomas*, Capt. *Davis*, and Mr. *Frye*, be a Committee to consider of some suitable Method for making up the Muster-Rolls of the Men draughted out of the Regiments in the Counties of *Hampshire* and *Worcester*, the last Fall, to Reinforce the Army under General *Winslow*, and Report.

Then the House adjourn'd 'till to Morrow-Morning Ten o'Clock.

Martis 25. Die Januarii, A. D. 1757.

Report on
Petition of
John Love.

THE Committee appointed on the Petition of *John Love*, Reported thereon.

Read and accepted ; and *Ordered*, That there be allowed and paid out of the public Treasury to *David Stockbridge*, Esq; for the Use of the Petitioner, the Sum of *two Pounds three Shillings and four Pence*, in Discharge of his Account exhibited.

Sent up for Concurrence.

Petition of
David Ingersole.

A Petition of *David Ingersole* of *Sheffield*, in the County of *Hampshire*, praying an Allowance for a Gun he furnished his Negro Man, who enlisted into the Service for the *Crown-Point* Expedition in the Year 1755, and died, for which he has not received any Consideration.

Read, and *Ordered*, That Mr. *Turner*, Col. *Gerrish*, and Capt. *Newhall*, be a Committee to consider this Petition, & Report thereon.

Bill read.

A Bill Intituled *An Act for further Regulating the Proceedings of the Courts of Probate within this Province*.

Read a second Time ; and *Ordered*, That the Bill be committed to Mr. *Gridley*, and Col. *Worthington*, to make the proposed Amendments.

Committee
for Bill.

The Committee appointed to prepare and bring in a Bill, in Addition to the Laws for Regulating the Choice of Town Officers &c. Reported a Bill, which the Chairman read at his Place, and then delivered in at the Table.

The said Bill, Intituled *An Act in further Addition to an Act for Regulating of Townships, Choice of Town Officers, and setting forth their Power*, was read a first Time, and

Bill read.

Ordered, That the same have a second Reading at three o' Clock Afternoon.

Report on
Petition of
Jacob Loomis.

The Committee appointed on the Petition of *Jacob Loomis*, Reported thereon.

Read, and accepted ; and *Ordered*, That there be allowed and paid out of the public Treasury to Capt. *Ithamar Hubbell*, for the Use of the Petitioner, the Sum of *five Pounds five Shillings & nine Pence*, in full for his Services mentioned. Sent up for Concurrence.

Post Meridiem.

Report on
Barnstable
Excise bro't
down.

John Greenleaf, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee and China Ware, in the County of *Barnstable*.

Signed *John Otis*, per Order.

In Council Jan. 24th 1757. Read and sent down.

Read

Read and accepted ; and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee the Sum of *two Pounds sixteen Shillings and four Pence*, in discharge of their Account of Time and Expences exhibited.

Sent up for Concurrence.

[Concurrence]

A Petition of *Thomas Gilbert*, Jun. Administrator of the Estate of *Jonathan Gilbert*, late of *Brookfield* in the County of *Worcester*, deceased, setting forth, that the Personal Estate of the said Deceased is but about sufficient to discharge the Debts due from the said Deceased, and the Real Estate not allowing of a Division among the several Heirs who are Minors, and the Money which may arise by selling the same being apprehended to be more advantageous than the Lands can be supposed to be to them ; therefore praying Liberty to make Sale of the Whole of said Real Estate, the Produce thereof to be put out at Interest for the Use of the Heirs.

Petition of
Tho. Gilbert.

Read, and *Ordered*, That the Petition lie on the Table.

The Committee appointed on the Memorial of *John Ashley*, Esq; Reported thereon.

Report on
Petition of
John Ashley.

Read, and accepted ; and *Ordered*, That the Prayer of this Memorial be so far granted, as that there be allowed and paid out of the public Treasury to the Memorialist, the Sum of *five Pounds ten Shillings*, for the eleven Men mentioned, in full of his Account annexed.

[delete be]

Sent up for Concurrence.

John Greenleaf, Esq; brought down the Petition of *Joseph Palmer*, as entred the 20th of *October* last, together with the Papers accompanying the same. Pass'd in Council, viz. In Council *January* 22d 1757. Read again, and non-concur'd ; and *Ordered*, That this Petition be dismiss'd. Sent down for Concurrence.

Petition of
Joseph Palmer, brot
down.

Read and unanimously non-concur'd ; and the House adhere to their own Vote.

[non-concur'd]

Sent up for Concurrence.

Mr. Secretary *Oliver* came down with a Message from the honourable Board, to acquaint the House, That in the Recess of the Court, His Honour the Lieut. Governour, with the Advice of his Majesty's Council, gave Orders that the Remains of *Shirley's* and *Pepperrell's* Regiments, then in the Province, and Capt. *Richmond's* Independent Company, should be put into Quarters at *Castle-Island* ; directing the Commissary-General to supply them with Fire-Wood, and sundry other Articles :

Message
from the
Board.

That in Consequence hereof an Account of about fifty Cord of Wood, supplied the said Soldiers, had just now been presented to the Board for Allowance ; The Board thereupon tho't proper that a Copy of their Votes should be laid before the House, and had directed him to bring down the same accordingly ; which he laid on the Table, and then withdrew.

Read, and *Ordered*, That Mr. *Gridley*, Mr. *Welles*, Mr. *Flucker*, Col. *Gerrish*, and Col. *Hale*, be a Committee to wait on the Right Honourable the Earl of *Loudoun*, to acquaint him with the State of the Case, and to pray his Lordship's Directions in the Affair.

Committee
to wait on
Lord Lou-
doun.

Bill en-
grofs'd.

A Bill Intitled *An Act in further Addition to an Act for Regulating of Townships, Choice of Town Officers, and setting forth their Power.*

Read a second and third Time, and pass'd to be Engros'd.

Sent up for Concurrence.

Committee
for Laws.

On a Motion made and seconded, *Ordered*, That *Col. Worthington, Col. Clap, and Mr. Morey*, be a Committee to examine what Laws are expired or near expiring, and Report. — And that it be a particular Instruction to the said Committee, to prepare and bring in a Bill for preventing the passing of Bills of Credit on the Neighbouring Governments, within this Province.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Mercurii 26. Die Januarii, A. D. 1757.

Petition of
Jane Prince.

A Petition of *Jane Prince* of *Boston* in the County of *Suffolk*, Widow, and Guardian to her three Children by *Moses Prince* deceased, Legatees mentioned in the last Testament of *Jonathan Loring*, late of said Town, deceased, praying that she, in her said Capacity, may be empowered to join with the other Legatees and Devisees mentioned in said Testament, in selling the Whole of the Real Estate of the Deceased, the Residue of which after paying the Legacies, being apprehended incapable of a Division among the several Heirs.

Read, and *Ordered*, That *Mr. Tasler, Mr. Gibbs* of *Newton*, and *Mr. Prentice*, be a Committee to take this Petition under Consideration, and Report thereon.

Petition of
Charles Mius
bro't down.

Richard Cutt, Esq; brought down a Petition of *Charles Mius*, late an Inhabitant of *Nova Scotia*, now residing at *Plymouth*, praying some further Relief than they have been allowed in the said Town. In Council *Jan. 24th 1757.* Read and sent down.

Read, and *Ordered*, That *Capt. Sprague, Col. Brigham, and Capt. Brown*, be a Committee to consider this Petition, and Report what they think proper for this Court to do thereon.

Report of a
Committee
on a Fraud
in a Muster-
Roll.

The Committee appointed to examine into a Fraud, suggested to be committed in the Muster-Roll of *Capt. John Frye's* Company, in the Expedition against *Crown-Point* in the Year 1755, with Regard to the Wages of *John Wiley* and others, Reported thereon as follows, *viz.*

The Committee find, that the said *John Wiley* was born upon the Muster-Roll for the whole Time, and hath received his Wages, notwithstanding he never marched from Home.

That one *William Marsh*, in the same Company, was born on the Muster-Roll for the whole Time, received his Wages, but never went further than *Springfield*.

That *Joseph Chamberlain* was born upon said Roll, received his Wages, and did not go in the Expedition.

That *Ezekiel Lad*, in the same Company, enlisted in the Room of *John Heywood*, both received their Bounty and advanced Wages, and so entered in the Roll.

Jonathan

Jonathan Nichols received his Bounty and advanced Wages, as by the Muster-Roll, and says, that he never received upon any Account but one Dollar, and did not go in the Expedition.

Capt. *Frye* acknowledged the above Facts, except what relates to the said *Nichols* : And as to what Money he had in his Hands, said he was willing to return the same back again.

Signed. *Edward Davis*, per Order.

Read, and Ordered, That Mr. *Gridley*, Col. *White*, and Col. *Williams*, be a Committee to take this Report under Consideration, and Report what they judge proper for this Court to do thereon.

On a Motion made by the Committee appointed to consider of some suitable Method for making up the Muster-Rolls, for the Men draughted out of the Regiments in the Counties of *Hampshire* and *Worcester* ;

Question relating to making up of Muster-Roll.

The Question was put,

Whether it be the Mind of the House, that the said Men are intitled to the three Dollars Bounty voted as an Encouragement for their Proceeding in the Service ? And, It pass'd in the Negative.

Post Meridiem.

A Petition of *Bethiah Morse*, Administratrix of the Estate of *Ezra Morse*, late of *Walpole* in the County of *Suffolk*, deceased, praying Liberty to make Sale of the Real Estate of the said Deceased, consisting only of about sixty-five Acres of unimproved Lands in *Killingfley* in the Colony of *Connecticut*, which he purchased a short Time before his Death, a considerable Part of the Purchase Consideration being still due, and not Personal Estate left sufficient to pay this and his other just Debts.

Petition of *Bethiah Morse*.

Read, and committed to Capt. *Richardson*, Mr. *Hunt*, and Mr. *Sumner*, to consider, and Report thereon.

The Committee appointed to consider Petitions from sick and wounded Soldiers, Reported on sundry of said Petitions ; which were thereupon read, and the Reports accepted ; and

Report on Petitions of sick and wounded Soldiers.

Ordered, That there be allowed and paid out of the public Treasury, to Capt. *Jabez Upham* for the Use of *James Nichols* 35s. 6d. to Mr. *Nath. Sumner* for the Use of *Eben. Turner* 28s. 8d. to *John Noyes*, Esq; for the Use of *Jedediah Parmenter* 58s. to Capt. *Eben. Barker* for the Use of *Hannah Asten* 44s. to *Joseph Buckminster*, Esq; for the Use of *Jonathan Gibbs* £. 3 16s. to *Joseph Gerrish*, Esq; for the Use of *Jacob Merrick* 25s. to *Moses Marcy*, Esq; for the Use of *Daniel-Moffit* 40s. to Capt. *Ephraim Spaulding*, for the Use of *Joshua Colburn* £. 8 10s. and to Mr. *William Stickney* for the Use of *Samuel Ober*, 40s. in full Consideration for the Expences and Losses in their respective Petitions mentioned. Sent up for Concurrence.

The Committee appointed to examine the Laws which are already expired or near expiring, Reported a Bill Intituled *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire and Rhode-Island within this Province.*

Bill Reported and read.

Read a first Time, and Ordered, That the Bill be recommitted for the proposed Amendments.

Petition of
*Claude Ben-
noie.*

A Petition of *Claude Bennoie*, late Inhabitant of *Nova-Scotia*, setting forth, that he with his Family were ordered by this Court to reside at *Cambridge*, but his Children being separated from him and sent to *Oxford*, he followed them there, and finding them hardly used, he carried them to his Brothers at *Newton*, where he and they have for some Time been supported by private Charity, but are now threatened to be sent to the Common Goal, unless they return to *Oxford*; and praying that some comfortable Place may be provided for their Residence, or they otherwise relieved.

Read, and Ordered, That Capt. *Davis*, *Thomas Foster*, Esq; and Col. *Hale*, be a Committee to consider this Petition, and Report thereon.

Message
from his
Honour.

Mr. Secretary *Oliver* came down with a Message from his Honour the Lieut. Governour; which he read, and laid on the Table.

His Honour's said Message, is as follows, viz.

Gentlemen of the House of Representatives,

IN my Speech to you at the Opening of the Session, I acquainted you with the Intelligence I had received, of a late Affray between the Inhabitants on the Borders of this Province, and those on the Borders of New-York: And I recommended to you to consider what is necessary to be done, to put an End to this Controversy, and you appointed a Committee for that Purpose; but I don't find that this Committee have ever met, altho' near three Weeks have passed since their Appointment; I must desire you, Gentlemen, not to suffer this Affair to be any longer delayed, but let me know your Determination upon it as soon as possible.

Council-Chamber,

S. P H I P S.

Jan. 26. 1757.

Message
from the
Board.

Samuel Watts, Esq; came down with a Message from the honourable Board, to acquaint the House, that they have directed the Members on the Part of the Board, of the Committee appointed on the Boundary between this Province and that of *New-York*, to sit forthwith, and to desire the House would give the like Directions to the Members of said Committee on the Part of the House: Which was done accordingly; and

Order
thereon.

Ordered, That Col. *Williams*, be of the Committee appointed on a Letter from his Excellency Sir CHARLES HARDY, to his Honour the Lieut. Governour, dated the 19th of *December* last, in the Room of Judge *Russell*, who is absent.

Sent up for Concurrence.

Excise-Bill
reported and
read.

The Committee appointed to prepare and bring in an Excise-Bill on spirituous Liquors, Reported a Bill Intituled *An Act for granting unto his Majesty an Excise upon Spirits distilled, and Wine, and upon Limes, Lemmons & Oranges*: Which was read a first Time; and

Ordered, That the Bill have a second Reading, to Morrow Morning ten o'Clock.

The Committee appointed on the Petition of *Benjamin Morris*, and others, Reported thereon.

Read

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the said *Benjamin* be, and he hereby is, impowered in his said Capacity of Administrator, to make Sale of the Land mentioned, (exclusive of the *sixty Pounds* Worth, ordered by the Superiour Court held in said County in *September* last, to be sold to pay the just Debts of the Deceased,) for the most the same will fetch, he observing the Directions of the Law respecting the Sale of Real Estates by Executors and Administrators, and to make and execute in due Form of Law, a good Deed or Deeds for Conveyance thereof, which when duly executed, acknowledged and recorded in the Registry of Deeds for said County, shall be, and hereby is declared to be, good and valid to all Intents and Purposes, provided he give sufficient Caution to the Judge of Probate for said County, that the Money arising by said Sale (after Payment of the just Debts mentioned,) be distributed to and among the several Heirs of the said Deceased, as mentioned in his last Will and Testament. Sent up for Concurrence.

Order on
Petition of
Benj. Morris.

The Committee appointed on the Petition of *Mary Cook*, Reported thereon.

Report on
Petition of
Mary Cook.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted, and that the Petitioner in her said Capacity of Administratrix, be, and she hereby is, impowered to make Sale of the two Lotts of Land in *Narragansett* Numb. 2. mentioned, and to give as good and sufficient a Deed or Deeds of Conveyance thereof in Law, as the said *Daniel Cook* could have done in his Life Time; and the Produce thereof to be applied to the Payment of the just Debts of the Deceased, as far as it will go, and the Remainder (if any there be) to be and remain to the said *Mary Cook*, her Heirs and Assigns for ever.

Sent up for Concurrence.

James Minot, Esq; brought down a Petition of *Nathaniel Perkins*, and others, praying that the Judge of Probate for the County of *Suffolk*, may be impowered to allow the Commissioners appointed to examine the Claims on the Estate of *Ebenezer Holmes*, deceased, to admit their Claims, the Time being elapsed notwithstanding, or to examine and allow them himself, as he shall judge reasonable.

Petition of
Nath. Perkins
and others,
bro't down.

Pass'd in Council, viz. In Council *January* 26th 1757.

Order
thereon.

Read and *Ordered*, That the Judge of Probate of Wills for the County of *Suffolk*, be impowered and directed to admit the several Claims of the Petitioners, and to allow such Part thereof, as shall appear to be due, after the same have been examined by the said Judge.

Sent down for Concurrence.

Read and concur'd.

A Petition of *Nathan Robbins* of *Aston*, in the County of *Middlesex*, praying that he may be allowed what was due to his Son *John Robbins*, for his Subsistence on his Return from the Army on the *Crown-Point* Expedition, in the Year 1755, who paid his own Expences therein, except *one Shilling* he received on the Province's Account.

Petition of
Nathan Robbins.

Read

Order
thereon.

Read and *Ordered*, That the Province Treasurer be, and he hereby is, allowed and directed to pay to the Petitioner, the Sum due to his Son *John Robbins*, for his Subsistence on his Return from the Army in the Year 1755, (deducting *one Shilling*) as made up in the Muster-Roll of the Company he belonged to, the Order of this Court notwithstanding. Sent up for Concurrence.

Bill reported
and read.

The Committee appointed to examine the Laws that are expired or near expiring, Reported a Bill Intituled *An Act for further Regulating the Course of Judicial Proceedings*: Which the Chairman read at his Place, and delivered in at the Table.

The said Bill was read a first, second and third Time, and pass'd to be Engross'd. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Jobis 27. Die Januarii, A. D. 1757.

Bill enacted.

AN engross'd Bill Intituled, *An Act for further Regulating the Course of Judicial Proceedings*.

Read and *Resolved*, That the Bill pass to be Enacted.

Petition of
Messieurs
Bailey & Cook.

A Petition of Messieurs *Nathaniel Bailey*, and *Nathaniel Cook*, in Behalf of sundry Officers, who were first Lieutenants in the late Expedition against *Crown-Point*, shewing that they were at equal Costs and Charges in raising Men and every other Expence, and at equal Trouble with the Captains in their Attendance on Duty, &c. while engaged in the Service, but are allowed only Lieutenants Pay; and praying they may have such further Allowance as to make their Pay equal to that of the Captains in said Service.

Read and *Ordered*, That the Petition be dismiss'd

Petition of
Dav. Ellingwood.

A Petition of *David Ellingwood* of *Beverly*, in the County of *Essex*, praying that the Referrees in an Action of Debt lately brought by him against the Administrator of the Estate of *Jonathan Stone*, late of *Arundell*, deceased, at the Inferiour Court for said County, which Action, for want of said Referrees Report, was dismissed by said Court in *September* last, may be directed to proceed on said Reference and Report, and the said Court allowed to receive the same, and make up Judgment and award Execution thereon, as they might have done, if the said Action had not been dismissed.

Read, and *Ordered*, That this Petition lie on the Table.

Excise-Bill
engross'd.

A Bill Intituled *An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemons and Oranges*.

Read a second and third Time, and pass'd to be Engross'd.

Sent up for Concurrence, by Col. *Hale*, Mr. *Bonny*, Mr. *Welles*, Col. *White*, and Col. *Jones*.

Message
from the
Board.

John Chandler, Esq; came down with a Message from the honourable Board, to desire the Committee appointed by the House, to prepare the Accounts between this and the Neighbouring Governments, may be directed to sit as soon as may be, that the same may be transmitted by their Commissioners, who are soon expected here: Thereupon the said Committee were directed to sit accordingly.

Whereas

Whereas divers of the Justices of the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, which by Law are to be holden at Northampton, in the County of Hampshire, on the second Tuesday of February next, are Members of this Court, and the important Affairs of the Province now depending, require their Attendance thereon : Adjournment of Inferiour Court at Northampton.

Wherefore,

Ordered, That the Courts aforementioned (that were to be holden at the Time aforesaid) be, and hereby are, Adjourned to the first Tuesday of March next, to be held at the Court-House in the said Town of Northampton, at ten of the Clock in the Forenoon of said Day ; and all Pleas, Writts, Actions, Suits, Plaints, Processess, Precepts, Recognizances and other Things whatsoever, returnable or having Day or Days in the said Courts, shall stand, abide and continue unto said Adjournment, and be held, deemed and adjudged to be as good, effectual and available in Law, to all Intents Constructions and Purposes whatsoever, as if such Courts had been held and kept on the Day by Law for holding the same, and no Adjournment thereof had been made : and the Sheriff of said County, (or his Deputy) is directed to post up Notifications of the Adjournment of said Courts, in the Shire Town of said County, and where the said Courts are to be held, as soon as may be.

Sent up for Concurrence.

Post Meridiem.

John Hill, Esq; brought down a Bill Intituled *An Act for erecting a new Town in the County of Worcester, by the Name of —* Bill read.

Pass'd in Council, viz. In Council January 26th 1757.

Read a first and second Time, and pass'd a Concurrence, as taken into a new Draught. Sent down for Concurrence.

Read and concur'd.

The Committee to whom was re-committed the Bill Intituled, *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire, and Rhode-Island, within this Province*; Reported the Amendment proposed; and thereupon

The said Bill was read a second and third Time, and pass'd to be Engross'd.

Sent up for Concurrence, by Col. Lawrence, Mr. Tasker, and Mr. Frye.

The Committee appointed to prepare a Vote to empower the Province Treasurer to administer an Oath to the Officers who received the Bounty Money, for inlisting Men for the late Crown-Point Expedition, Reported the following Draught, which was read and accepted, viz. Report of a Vote for the Treasurer to administer &c. and Vote thereon.

Whereas sundry Persons who received Monies of this Government, in order to inlist Men into the late Crown-Point Expedition, have neglected to Account for the same :

Voted, That the Province Treasurer be, and hereby is, directed to adjust and settle Accounts with such Persons, as soon as may be ; and that he use his utmost Endeavour to prevent any Frauds

K k k k

and

and Impositions, upon the Government, in said Affair : and the said Treasurer is further directed not to discharge such Persons, or allow the Accounts they may or shall exhibit, until he has strictly examined them, and they have made Oath to the Truth of the same before him, which Oath he is impowered and enabled to administer accordingly. Sent up for Concurrence.

Report of a Committee relating to the delivery of Fire Arms and Vote thereon.

The Committee appointed to consider what may be proper to be done for securing and preserving the Province Arms, and for their being returned into the Commissary General's Office ; Reported thereon.

Read, and accepted ; and *Ordered*, That the Arms and Accoutrements belonging to this Province which were delivered for the late *Crown-Point* Expedition, and are in Possession of any Persons in the Counties of *Suffolk*, *Middlesex* and *Barnstable*, be returned into the Commissary General's Office ; that those in the County of *Essex* be delivered to *Ichabod Plaisted*, Esq; at *Salem* ; those in the County of *Hampshire*, to *John Worthington*, Esq; at *Springfield* ; those in the County of *Worcester*, to *Gardner Chandler*, Esq; at *Worcester* ; those in the County of *Plymouth*, to *Thomas Foster*, Esq; at *Plymouth* ; those in the County of *Bristol*, to *Samuel White*, Esq; at *Taunton* ; those in the County of *Dukes-County*, to Capt. *Peter West* at *Tisbury*, or to the Commissary General as aforesaid : who are hereby directed to receive the said Arms &c. and give a Certificate thereof to the Persons of whom they shall receive the same, and to procure some proper Persons to Cleanse and Oyl said Arms, at the Charge of the Province, and to transmit them to the Commissary-General : And

Ordered, That a Copy of this Vote be printed and sent to the several Towns and Districts within this Province.

Sent up for Concurrence.

Report on Petition of Jane Prince, and Order thereon.

The Committee appointed on the Petition of *Jane Prince*, Reported thereon.

Read, and accepted ; and *Ordered*, That the Prayer of this Petition be granted ; and that the Petitioner be, and she hereby is impowered, in her said Capacity of Guardian, to join with the other Legatees and Devisees in the Division and Sale of the Real Estate of the said *Jonathan Loring*, deceased, and to make and execute a good and valid Deed or Deeds thereof to such Person or Persons as shall be willing to give the most for the same, she observing the Directions of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Amount of whatever Part thereof may be sold, together with the lawful Interest thereon, shall be equally divided between, and paid to, her three surviving Children, *Samuel*, *Jane* and *Deborah*, Blood Relations to the said *Jonathan*, as they shall respectively come of Age.

Sent up for Concurrence.

The Committee appointed on the Petition of *Charles Mills*, Reported thereon.

Read:

Read, and not accepted; and *Ordered*, That the Petition be Re-committed.

A Petition of *Joshua Warner* of *Hatfield*, in the County of *Hampshire*, praying that a Mistake in his Wages, of about nine Weeks short carried out in the Muster-Roll of the Company he belonged to, on the *Crown-Point* Expedition, in the Year 1755, may be rectified, and he allowed the Ballance due to him for said Service. Petition of
Joshua Warner.

Read, and committed to Col. *Gerrish*, Capt. *Brown*, and Mr. *Frye*, to consider, and Report thereon.

Eleazer Porter, Esq; brought down the Bill Intituled *An Act for raising a Sum of Money by Lottery, for carrying on certain Manufactures in the Town of Braintree*. Pass'd in Council, viz. In Council Jan. 27th 1757. On a Motion made and seconded, *Voted* a Reconsideration of a Vote of the Board of the 22d Instant, and the Bill being read a second Time, pass'd a Concurrence to be Engross'd with the Amendments at A & B. Sent down for Concurrence. Bill brought
down, and
Order
thereon.

Read and concur'd.

And *Ordered*, That Col. *White*, and Col. *Lawrence*, with such as the honourable Board shall join, be a Committee to take Bonds of the said *Joseph Palmer*, for the Purposes mentioned in the foregoing Act. Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Veneris 28. Die Januarii, A. D. 1757.

ON a Motion made and seconded, *Ordered*, That *John Murray*, Esq; be of the Committee appointed to farm out the Duties of Excise on Tea, Coffee and China-Ware, in the County of *Worcester* for one Year, from the first of *November* last, in the Room of *William Richardson*, Esq; who desires to be excused from that Service. Order rela-
ting to *Wor-
cester* Excise. Sent up for Concurrence.

The Committee appointed to examine what Laws are expired or near expiring, Reported a Bill Intituled *An Act for reviving and continuing sundry Laws that are expired or near expiring*. Bill read
and en-
gross'd.

Which was read a first, second and third Time, and pass'd to be Engross'd. Sent up for Concurrence.

Ordered, That Mr. *Gibbs* of *Newton*, *Jacob Cushing*, Esq; and Mr. *Morey*, be a Committee to prepare and bring in a Bill in Addition to the Laws for Regulating the Assize of Shingles, Admeasurement of Boards &c. Committee
for sundry
Bills.

Ordered, That Col. *Otis*, Col. *White*, and Col. *Clap*, be a Committee to examine the Laws for preventing the Destruction of *Alewives*, and other Fish, and for Regulating the catching of Fish in *Sandwich River*, and Report.

Ordered, That Col. *Williams*, Col. *White*, and Col. *Jones*, be a Committee to prepare and bring in a Bill further empowering the Courts of General Sessions of the Peace, in Regard to the laying out, or altering High-Ways.

Mr.

Agent *Bol-
lan's* Ac-
counts bro't
down.

Mr. Secretary *Oliver* brought down Mr. Agent *Bollan's* Account of Disbursements and Expences, and laid the same on the Table.

Which was read.

Fee-Bill re-
ported and
read.

The Committee appointed to prepare and bring in a Fee-Bill, Reported a Bill, Intituled *An Act for Establishing and Regulating Fees of the several Officers within this Province hereafter mentioned* : Which the Chair-man read at his Place, and then delivered in at the Table.

The said Bill was read a first Time ; and Ordered, That the same have a second Reading at three o'Clock Afternoon.

*Samuel Li-
vermore, Esq;*
returned Re-
presentative
from *Wal-
tham*.

Samuel Livermore, Esq; Representative for the Town of *Waltham*, in the County of *Middlesex*; appearing in the House :

Ordered, That Mr. *Gibbs* of *Newton*, attend him to the Gentlemen appointed by Dedimus to administer the Oaths, required by Act of Parliament, to the several Members of the House.

Who returned, That he had attended him accordingly ; and that he had taken the Oaths, repeated and subscribed the Test and Declaration, and had qualified himself agreeable to Act of Parliament. And

Then Capt. *Livermore* took his Seat in the House.

Vote on
Petition of
*David Elling-
wood*.

The House took under Consideration a Petition of *David Ellingwood*, as entred Yesterday : And

It appearing to this House, that the adverse Party has been notified of this Petition, and has given his Consent thereto ;

Voted, That the Prayer of this Petition be granted ; and that the Referrees appointed on the Action therein mentioned be, and they are hereby, impowered and directed to proceed on the said Reference, and Report thereon to the next Inferiour Court of Common Pleas to be held at *Ipswich* in and for the County of *Essex*, on the last Tuesday of *March* next, and the Justices of said Court are hereby allowed and impowered to receive said Report, to make up Judgment, and award Execution on said Action, in the same Manner, as by Law they should have done, if the said Action had not been dismissed. Sent up for Concurrence.

Resolve on
Stamp-Act.

On a Motion made and seconded, Resolved, That the House take under Consideration the Stamp-Act, on Tuesday next three o'Clock Afternoon.

Petition of
*Meriam Ash-
ley*.

A Petition of *Meriam Ashley*, Widow, Executrix of the last Testament of *Noah Ashley*, late of *Westfield* in the County of *Hampshire*, deceased, praying that she may be impowered to make Sale of a Farm, Part of the Estate of the said Deceased, lying in said Town called *Pochaßock-Farm*, to enable her to discharge the just Debts due from the said Deceased, she apprehending it would be detrimental to sell off Part from the rest, and that the Overplus will be more advantageous to the Heirs of the Deceased, if the Money be improved for their Benefit, than the Lands can be.

Read, and Ordered, That Col. *Worthington*, Capt. *Richardson*, and Capt. *Brown*, be a Committee to consider this Petition, and Report thereon.

Post Meridiem.

A Petition of *Betty Putnam*, Widow of *Israel Putnam*, late of *Petition of Danvers* in the County of *Essex*, deceased, praying that she may *Betty Putnam.* be allowed to keep a Tavern in the House where she now dwells, the same having been improved for that Purpose, by her said Husband, for many Years past.

Read, and *Ordered*, That the Prayer of this Petition be granted; and that the Justices of the Court of General Sessions of the Peace for the County of *Essex* be, and hereby are, empowered at their next Term, to grant the Petitioner a Licence (if they see fit) to keep an House of public Entertainment in the District of *Danvers*, the first obtaining the Approbation of the Select-Men of said District, the Time for granting Licences being elapsed notwithstanding. Sent up for Concurrence.

The Committee appointed on Petitions from sick and wounded Soldiers, Reported on sundry of said Petitions : Whereupon the said Petitions were read, and the Reports accepted ; and

Report on
Petitions
of sick and
wounded
Soldiers.

Ordered, That there be allowed and paid out of the public Treasury to Capt. *Jonathan Whitney* for the Use of *Simon Davis* 40s. to *Samuel White*, Esq; for the Use of *Jonathan Porter* 12s. to *Elisha Jones*, Esq; for the Use of *Noah Norcross* 30s and for the Use of *Benjamin Dolbeare* 52s. 9d. to Capt. *Jabez Upham* for the Use of *Moses Barnes*, 48s. and for the Use of *Joseph Walker*, 18s. to *John Worthington*, Esq; for the Use of *Heber Miller*, £.4 18s. 8d. and to Mr. *Samuel King*, for the Use of *Daniel Burt*, £.3 1s. 8d. in full Consideration for their Expences and Sufferings in the *Crown-Point* Expedition, in the Year 1755, in their respective Petitions mentioned. Sent up for Concurrence.

The Committee appointed on the Petition of *Ebenezer Everett*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *thirty five Shillings*, in full for his Services mentioned.

Report on
Petition of
Eben. Everet.

Sent up for Concurrence.

A Bill Intituled *An Act for establishing and regulating Fees of the several Officers within this Province, hereafter mentioned.*

Excise-Bill
read.

Read a second Time, and after a large Debate thereon, recommended for the proposed Amendments.

Ordered, That Col. *White*, Col. *Williams*, and Col. *Otis*, be a Committee to examine the Fee-Tables, and report the Cost of settling Estates, Testate and Intestate, by the Act passed in the Reign of King *William*, as the Fees were in the Year 1750, by the last Fee-Table, and as Reported by the Committee who prepared the Fee-Bill now before the House, and Report.

Committee
for Enquiry
relating to
Fees.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Sabbati 29. Die Januarii, A. D. 1757.

Report on
Sir Charles
Hardy's Let-
ter bro't
down.

Isaac Royall, Esq; brought down the Report of the Committee of both Houses, appointed on Sir CHARLES HARDY's Letter, to his Honour the Lieut. Governour, referred to in his Honour's Speech of the 6th Instant, Signed *Samuel Danforth*, per Order; With the Draught of a Message to his Honour accompanying the same.

Pass'd in Council, viz. In Council January 28th 1757.

Read, and accepted, and Ordered, That *Samuel Watts*, Esq; with such as the honourable House shall appoint, be a Committee to present the same to his Honour the Lieut. Governour.

Sent down for Concurrence.

Read and concur'd, and Col. *Hale*, and Col. *White*, are joined in the Affair.

The said Message to his Honour, is as follows, viz.

Message to
his Honour
relating to
the said
Affair.

May it please your Honour,

That Part of your Honour's Speech at the Opening the Session, which relates to the unhappy Controversy between the Inhabitants on the Borders of this Province, and those of *New-York*; together with a Letter from his Excellency Sir CHARLES HARDY, and the several Papers accompanying it, have all been duly considered by the two Houses.

We are told in the afore-mentioned Letter, that one Man has lost his Life in this Controversy, from which Manner of Expression it is most natural to think, there had been but one; but we have not forgot that one other had lost his Life before, when flying for the Preservation of it unarmed, from a Banditti who pursued him; and when the Persons charged with the Murder were taken and imprisoned, in Order to their receiving a Trial, they were set at Liberty, as we have been since informed, by Directions from his Excellency Governour SHIRLEY, upon a Promise that all who had been imprisoned in the Province of *New-York*, should be released; notwithstanding which, it has been represented to us, one or more still remain confined in *Albany* Goal, for some trifling Damage, sustained by a Claimer under *New-York* to the controverted Lands, and are reduced to the greatest Degree of Misery: Such Proceedings naturally tend to irritate, and not to pacify the Inhabitants on the Borders. Commencing and prosecuting Actions in the Law, and carrying Judgments of Courts into Execution, where the Right of Jurisdiction is denied, hath likewise as great Tendency to keep up this unhappy Spirit, as Acts of Violence without the Pretence or Colour of Law.

It is no Evidence of the Right of Jurisdiction, that Grants of Lands have been made by this or that Government; and it would be as easy for a Governor of *New-York*, to extend his Patents for Fifty or an Hundred Miles into the *Massachusetts* Province, as thirty or twenty.

By the best Intelligence we can obtain of the late Transaction, it does not appear to us, that the Indians imprisoned were Aggressors,

gressors, but rather on the contrary, that what they did was in their own Defence.

We have often before been told, that we have not made our Claim in its full Extent, altho' it has been demanded of us ; and we have as often replied, that by Force of our Charter, we have a Right of Jurisdiction over all the Lands within our North and South Lines, from the Atlantick to the South Sea, except such Lands as were possessed by any foreign Christian Prince or State in 1620.

We have often proposed to submit the whole Controversy to the equitable Determination of judicious disinterested Persons, to be appointed by the two Governments, and their Determination to be laid before his Majesty. If *New-York* is disposed to an equitable Settlement, and have any Scruples, as has been alledged, whether they have a Right to submit the Controversy, we conceive it would be as easy to obtain his Majesty's Allowance so to do, as to obtain a Commission to any particular Persons to judge and determine ; and we have the best Authority for this our Opinion, his Majesty himself having graciously been pleased to allow and recommend this Method, in similar Cases.

By a Message to Governor SHIRLEY, when he was last going to *New-York*, the two Houses desired him to renew the Proposal to the Governor of that Province ; but we have never been informed that any Answer has been made to it.

We have impowered Committees to agree with Committees of that Province, upon the Line of Jurisdiction ; but the Proposals made to us have been calculated to preserve the Lands granted by the Governors of that Province, and to leave the Burthen of defending them upon this. We cannot help observing, that if Grants of Lands had been made by the Governors of *New-York*, in Tracts convenient for bringing forward the Settlement of the Country, and for that Purpose, as Grants have usually been made by this Government, it is very probable, either that this Controversy would never have subsisted, or that it would long since have been finished ; but when vast Tracts of Country are granted to a small Number, or to single Persons, meerly for their own Emolument, and the original Grantees, or those that hold under them, are Members of the Council, or House of Representatives, or have the chief Command in the Province, as has formerly been the Case, there seems to be but little Room to hope for an Agreement.

We much approve of the Orders given by your Honour, with the Advice of the Council, for restraining the Indians of *Stock-bridge*, from revenging the Imprisonment of their Brethren, in Case there should appear any Disposition towards it : And we desire your Honour to use every reasonable Measure for pacifying the Borderers, until the Line can be determined ; and we hope that Care will likewise be taken, to prevent any Attempts of Persons claiming under *New-York*, to molest those who Claim under this Province.

The

Report on
Petition of
*Tho. Awan-
samug.*

The Committee appointed on the Petition of *Tho. Awan-
samug*,
Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Pe-
tition be so far granted, as that the Petitioner (with the Advice
and Consent of the Guardians of the *Natick* Indians) be and he is
hereby allowed and impowered to make Sale of twenty Acres of
his Land as mentioned in his Petition, and to execute a good and
valid Deed of Sale of the same to the Person or Persons who will give
most therefor, (seasonable and public Notice of the Time and
Place of Sale being first given,) the Proceeds of said Sale to be ap-
plied, in the first Place to the discharge of the just Debts of the
Petitioner, and the Remainder (if any there be) for his more com-
fortable Support, for the future. Sent up for Concurrence.

Report on
Petition of
Eunice Brooks.

The Committee appointed on the Petition of *Eunice Brooks*,
Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Pe-
tition be so far granted, as that the Petitioner (with the Advice
and Consent of the Guardians of the *Natick* Indians) be and she
hereby is allowed and impowered to make Sale of twelve Acres
of her Land, and to make and execute a good and valid Deed of
Sale of the same to the Person or Persons who will give most there-
for, (seasonable & public Notice of the Time & Place of Sale being
first given,) the Proceeds thereof to be applied to the Purposes
mentioned in said Petition. Sent up for Concurrence.

Vote of
Council
bro't down.

John Hill, Esq; brought down the Vote passed the House, for
granting a Protection to Mr. *Henry Leddel*. Pass'd in Council,
viz. In Council Jan. 28th 1757. Read and concur'd, with the
Amendment at A. Sent down for Concurrence.

Read and concur'd.

Bill enacted.

An engross'd Bill Intituled *An Act in further Addition to an Act
Intituled, " An Act for Regulating of Townships, Choice of Town Of-
ficers, and setting forth their Power."*

Read and *Resolved*, That the Bill pass to be Enacted.

Committee
for Relief of
*French Pri-
soners.*

On a Motion made and seconded, *Ordered*, That Col. *Clap*, Col.
Miller, and Col. *Worthington*, be a Committee to consider what is
proper to be done for the immediate Relief of some *French* Priso-
ners, now in his Majesty's Goal at *Springfield*, and Report.

Petition of
Elea. Lindsey.

A Petition of *Eleazer Lindsey* of *Lynn*, in the County of *Essex*,
shewing that he was at considerable Expence in billeting sundry
Soldiers inlisted under him, for the *Crown-Point* Expedition, the
last Year ; and praying an Allowance therefor, from the Time
of their Inlistment, to the Time of their Marching, agreeable to
the Account exhibited.

Read, and *Ordered*, That Capt. *Sprague*, Capt. *Newhall*, and
Mr. *Lyman*, be a Committee to take this Petition under Consid-
eration, and Report thereon.

Report on
Petition of
*Claude Ben-
noie.*

The Committee appointed on the Petition of *Claude Bennoie*,
Reported thereon.

Read

Read, and thereupon, *Ordered*, That the Select-Men of the Town of *Newton*, be and hereby are allowed to remove the said *Claude Bennoie*, and his Wife, to the Town of *Cambridge*, where they were originally placed by Order of this Court; and that the Select-Men of said Town, be and are hereby directed to take Care of them, agreeable to the Laws made respecting the Inhabitants of *Nova-Scotia*, now in the Province.

Sent up for Concurrence.

A Petition of *Joseph Williams*, and sundry others, setting forth, that they enlisted into the Service for the *Crown-Point* Expedition in the Year 1755, and Billeted themselves, from the Time they were mustered at *Taunton*, till they were ordered to march in said Service, being about 13 Days, for which they have never received any Allowance; and praying that they may be paid for the same, according to the Account exhibited. Petition of
Jos. Williams
&c.

Read and *Ordered*, That Capt. *Sprague*, Capt. *Hubbell*, and Mr. *Marsh*, be a Committee to consider this Petition, and Report thereon.

On a Motion made and seconded, *Ordered*, That Col. *Otis*, Mr. *Gridley*, and Col. *White*, be a Committee to consult the Statutes for Regulating the Conduct of Masters, Apprentices and Servants, and to prepare and bring in a Bill for the better Regulating them, within this Province. Committee
for a Bill.

The Committee appointed to consider of some proper Method for making up the Muster-Rolls for the Men draughted out of the Regiments in the Counties of *Hampshire* and *Worcester*, for Reinforcing the Army under General *Winslow* the last Fall; Reported thereon. Report on
Muster Rolls

Read and not accepted.

A Memorial of *John Fellows* and *William Coit*, living on Lands West of *Sheffield* in the County of *Hampshire*, setting forth, that they purchased the same of *Israel Williams*, Esq; which, as there was but one Boundary Line mentioned in the General Court's original Grant, they have got surveyed by a Surveyor and Chain-Men on Oath, and erected the Boundaries according to the Plan thereof exhibited; and praying a Confirmation thereof. Memorial of
John Fellows,
&c.

Read, and *Ordered*, That this Petition be dismissed.

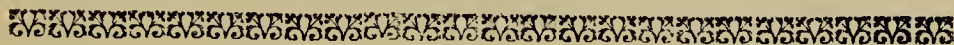
Then the House adjourn'd till Monday next three o'Clock Afternoon.

M m m m



V O T E S

Of the House of Representatives.



Lunæ 31. Die Januarii, A. D. 1757.

*****N engross'd Bill Intituled *An Act for erecting a new* Bill enacted.

******Town in the County of Worcester, by the Name of—*

*****A ***** Read and *Resolved*, That the Bill pass to be enacted.

***** On a Motion made and seconded, a Petition of
******Jacob Loomis*, as entred the first of *June* last, was read *Petition of Jacob Loomis,*
again ; and *Ordered*, That the said Petition be revived, and com- revived.
mitted to Mr. *Flucker*, Col. *White*, Col. *Cotton*, Capt. *Richardson*, and
Col. *Bradford*, to consider, and Report thereon.

The Committee appointed to consider the Report of the Com-
mittee on the suggested Fraud in the Wages of *John Wiley*, and
others, in Capt. *John Frye's* Muster-Roll, for the *Crown-Point Ex-* Report on
pedition in the Year 1755. Reported thereon verbally, and a suggested
Fraud in a
Muster Roll.

Thereupon, *Ordered*, That the said Capt. *John Frye* be direct-
ed to attend the House, on the eighth Day of *February* next, to
make Answer to such Questions as shall be put to him Relative
to the said Affair ; and that the Clerk of the House notify him
accordingly.

A Petition of *Ruth Alexander*, Widow of Lieut. *Elias Alexander*, Petition of
late of *Winchester*, deceased, who for many Years was employed *Ruth Alexan-*
by this Government with good Success against the Indian Enemy, der.
and afterwards died in his Majesty's Service in *Nova-Scotia*, pray-
ing the compassionate Consideration of this Court, and that she
may have a suitable Allowance for the more comfortable Support
of her self and Family, under her present infirm State of Health,
and difficult Circumstances ; Also

A Petition of *Samuel Stevens* Son of Capt. *Phineas Stevens*, late Petition of
of a Place called Number *Four*, deceased, in Behalf of his Mother, *Sam. Stevens.*
and the Children of the said Deceased ; praying that, in Consid-
eration of the many good Services of his said Father to his Country
in the Wars with the Indian Enemy, and in his Majesty's Ser-
vice at *Nova-Scotia*, where he died in 1755, they may have such
an Allowance made them, as shall be judged reasonable, for their
more comfortable Support, under their difficult and distressed
Circumstances.

Read and *Ordered*, That *Thomas Foster*, and *James Russell*, Esqrs; and Capt. *Thomas*, be a Committee to take the said Petitions under Consideration, and Report what they judge proper for this Court to do thereon respectively.

Report on
Petition of
Joshua War-
ner.

The Committee appointed to consider the Petition of *Joshua Warner*, Reported thereon.

Read and accepted; and *Ordered*, That there be allowed and paid out of the public Treasury to *Israel Williams*, Esq; for the Use of the Petitioner, the Sum of *three Pounds four Shillings and eight Pence*, in Consideration of his being made up nine Weeks five Days short in the Muster-Roll of the Company he belonged to, on the Expedition against *Crown-Point* in 1755.

Sent up for Concurrence.

Committee
for Enquiry.

On a Motion made and seconded, *Ordered*, That Capt. *Brown*, Major *Stockbridge*, and Mr. *Turner*, be a Committee to make Enquiry into the Truth of a Suggestion that one *Pierston Eaton*, a Soldier in the Expedition against *Crown-Point* in 1755, was born in the Muster-Rolls of Capt. *Reed*, and Capt. *Stevens*, and allowed Wages in both at the same Time, and Report.

Report rela-
ting to *French*
Captives.

The Committee appointed to consider what may be proper to be done for the Relief of some *French* Prisoners now in his Majesty's Goal at *Springfield*, Reported thereon.

Read, and accepted, and *Ordered*, That the two *French* Captives, who lately made their escape from his Majesty's Goal in the County of *Suffolk*, and were afterwards Re-taken, and are now detained in his Majesty's Goal in *Springfield*, be subsisted there as heretofore; and that, as they are reduced to great Distress, by the want of several necessary Articles of Cloathing, to secure them against the Severity of the Winter, the Sheriff of the County of *Hampshire*, be, and he is hereby, directed to provide them such Articles of Cloathing, &c. as are necessary for their Support, at the public Charge, until this Court shall otherwise Order, or till his Honour the Lieut. Governour shall see fit to remove them.

Sent up for Concurrence.

Petition of
Gershom
Makepeace,
&c.

A Petition of *Gershom Makepeace*, and others, Select-Men of the Town of *Western*, in the County of *Worcester*, setting forth, that the Act for Incorporating said Town, being burnt with the Court-House in *Boston*, and the attested Copy which they had of said Act, lost by the burning of the House where it was kept in said Town, by Means thereof the Inhabitants are put to many Difficulties; and praying that they may be Re-incorporated according to their former Bounds.

Read, and *Ordered*, That Col. *Clap*, Col. *Marcy*, and Col. *Murray*, be a Committee to consider this Petition, and Report what they judge proper for this Court to do thereon.

Then the House adjourn'd till to Morrow Morning ten o'Clock.

Partis 1. Die Februarii, A. D. 1757.

THE Committee to whom was referred the Consideration of a Petition of *Jacob Loomis*, as entered the first of June last, Reported verbally ; and thereupon, *Petition of Jacob Loomis referred.*

Ordered, That the Consideration of said Petition, be referred accordingly.

John Otis, Esq; brought down a Petition of *Joseph Lee* of *Boston*, Esq; praying that he may be put in Possession of certain Lands he purchased of the Province, lying in the District of *Montague*, and that Directions may be given that the Bounds of *Hadley Grant*, (chiefly encompassed by his Lands) may be ascertained. *Petition of Joseph Lee, Esq; bro't down.*

Pass'd in Council, viz. In Council January 31st. 1757.

Read and Ordered, That *Samuel Watts*, Esq; with such as the honourable House shall join, be a Committee to enquire into the Facts suggested in the foregoing Petition, and Report what they judge proper to be done in the Affair.

Sent down for Concurrence.

Read and concur'd ; and Col. *White*, and Col. *Bradford*, are joined in the Affair.

Whereas, on a Petition of *Capt. Noah Sprague*, Agent for the Town of *Rochester*, presented to this Court in January last, an Order passed the two Houses, that the Town of *Dartmouth* should be notified to make Answer thereto on the second Wednesday of February Current, of which Order it appearing to this House, the said Town of *Dartmouth* has not been served with a Copy, and the Time being now apprehended to be too short for serving them seasonably therewith : *Order on Petition of Capt. Noah Sprague, &c.* Therefore,

Ordered, That the said Petitioner be directed to notify the said Town of *Dartmouth*, in Manner prescribed by said Vote, to make Answer to said Petition, if they see fit, on the second Wednesday of the next Sitting of this Court. Sent up for Concurrence.

The Committee appointed to make Enquiry relative to one *Pierfon Eaton's* being born on two Muster-Rolls, and receiving his Wages accordingly on both, for the same Service, Reported that on Enquiry they find the Fact to be true, and had received from the Province Treasurer a Certificate to that effect : Which was read ; and thereupon, *Report and Order relating to Pierfon Eaton.*

Ordered, That the said *Pierfon Eaton*, be directed to attend the House, on Tuesday the eighth of February Current, to make Answer to such Questions as may be put to him relative to said Affair ; and that the Clerk of the House notify him accordingly.

Richard Cutt, Esq; brought down the following Vote of Council, Viz. In Council February 1st. 1757.

Voted, That the Gentlemen appointed to confer with the Commissioners of the other Governments, upon the Earl of *Loudoun's* Proposals for carrying on the War, be directed to pay the Compliments of this Government, to the Hon. *THOMAS FITCH*, Esq; Governor of *Connecticut*, and to the Hon. *STEPHEN HOPKINS*, Esq; Governor of *Rhode-Island*, now met with them on that Occasion. *Vote of Council bro't down.*

Sent down for Concurrence. Read and concur'd.

Richard

Vote of
Council
bro't down.

Richard Cutt, Esq; brought down the following Vote of Council,
Viz. In Council *February* 1st. 1757.

Voted, That *John Osborne*, and *Jacob Wendell*, Esqrs; with such as the honourable House shall join, be a Committee to wait on his Excellency Governor LAWRENCE, and make him the Compliments of this Government, on his Arrival in this Province.

Sent down for Concurrence.

Read and concur'd; and Mr. *Flucker*, Col. *Williams*, and Col. *Worthington*, are joined in the Affair.

Letter from
Gov. *Wentworth*, read.

Mr. Secretary *Oliver* brought down a Letter from his Excellency Governor WENTWORTH, to his Honour the Lieut. Governor, dated *Portsmouth*, Jan. 28. 1757; which he read, and then withdrew.

Petition of
Ezek. Chandler.

A Petition of *Ezekiel Chandler* of *Duxborough*, in the County of *Plymouth*, praying an Allowance for his Gun which was stolen from him at *Albany*, whilst he was in the Service on the last Expedition against *Crown-Point*.

Read and Ordered, That the Petition lie on the Table.

Report of a
Bill.

The Committee appointed to prepare a Bill for preserving the Beaches, &c. in *Billingsgate-Bay*, Reported a Bill Intituled *An Act to prevent Damage being done unto Billingsgate-Bay, in the Town of Eastham, by Cattle and Horse Kind and Sheep, feeding on the Beach and Islands adjoining thereto*: Which was read a first Time; and

Ordered, That the Bill have a second Reading at three o'Clock Afternoon.

Report on
Petition of
Jos. Williams
&c.

The Committee appointed to consider the Petition of *Joseph Williams*, and others, Reported thereon.

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to *Samuel White*, Esq; for the Use of the Petitioners, the Sum of *seven Shillings and four Pence* each, to be by him paid to them respectively, in Consideration of their Billeting themselves thirteen Days before they marched in the Service on the *Crown-Point* Expedition in 1755, as mentioned, amounting in the Whole to the Sum of *four Pounds and eight Pence*.

Sent up for Concurrence.

Bill refer'd.

On a Motion made and seconded, Ordered, That the Consideration of the Revival and Continuance of a Stamp-Act, be referred 'till Friday next, ten o'Clock.

Report of a
Committee
bro't down.

Samuel Watts, Esq; brought down the Report of the Committee of both Houses, appointed to receive the Proposals of the Right Hon. the Earl of *Loudoun*, and to confer with Commissioners from the Neighbouring Governments thereon.

Signed *Thomas Hutchinson*, per Order.

Read, together with the several Papers accompanying the same, and the Consideration thereof referred.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Mercurii 2. Die Februarii, A. D. 1757.

THE Committee appointed on the Petition of *Gershom Makepeace*, and others, Select-Men of the Town of *Western*, Reported a Bill Intituled, *An Act for rendering effectual an Act for Incorporating a Parcel of the Lands belonging to the Inhabitants of the Westerly Part of the Town of Brookfield, the Northerly Part of Brimfield, and Easterly Part of Kingsfield into a Township, by the Name of Western*: Which the Chair-man read at his Place, and then delivered in at the Table. Bill Reported and read,

The said Bill was read a first, second and third Time, and pass'd to be Engross'd. Sent up for Concurrence.

The Committee appointed to prepare and bring in a Bill for preventing the French being supplied with Provisions, &c. in Conformity to his Honour the Lieut. Governour's Proclamation, Reported a Bill Intituled *An Act for preventing the Exportation of Provisions and War-like Stores out of this Province*: Which the Chair-man read at his Place, and then delivered in at the Table. Committee for a Bill.
Bill refer'd.

The said Bill was read a first Time, and Ordered, That the same have a second Reading at twelve o'Clock.

A Petition of *Solomon Wheat*, Physician, shewing that he enlisted into the Service against *Crown-Point* on the last Expedition, and after his Arrival at *Albany*, he was desired to officiate as Physician and Chirurgeon, by the Commissioners from this Government, 'till the Arrival of the Chirurgeons of the Army, and accordingly attended that Service there, and afterwards at *Fort-Edward*; and praying such Allowance therefor, as shall be tho't reasonable. Petition of Solomon Wheat.

Read and Ordered, That this Petition be dismiss'd.

William Brattle, Esq; brought down the Petition of *Claude Bennoie*. Petition of Claude Bennoie, bro't down.

Pass'd in Council, viz. In Council February 2d. 1757.

Read and concur'd with the Amendments at *A, B & C*.

Sent down for Concurrence.

Read, and unanimously non-concur'd, and the House adhere to their own Vote. Sent up for Concurrence.

On a Motion made and seconded, Ordered, That the Consideration of the Bill for preventing Provisions and War-like Stores being carried to the French, be referred; and Vote relating to a Bill on Exportation of Provisions, &c.

Voted, That the Committee appointed to receive Proposals from the Right Hon. the Earl of *Loudoun*, &c. confer with the Commissioners from the other Governments now at *Boston*, about some effectual Method for preventing Provisions and War-like Stores being carried out of any of these Colonies to the French, and to concert Measures with them for that Purpose.

Sent up for Concurrence.

Voted, That the Committee appointed to receive Proposals from the Right Hon. the Earl of *Loudoun*, &c. confer with the Commissioners from the other Governments for the same Purposes, about an Application to his Excellency the Earl of *Loudoun*, for Reimbursing the Expences of the *New-England* Colonies in Provisions Commissioners directed.

visions last Year, for the Army at *Crown-Point* ; and that the said Committee be directed to attend his Lordship severally or jointly with the said Commissioners, as they shall judge best, and pray his Favour on this Behalf. Sent up for Concurrence.

Post Meridiem.

Bill read.

A Bill Intituled *An Act to prevent Damage being done unto Billingsgate-Bay, in the Town of Eastham, by Cattle and Horse-Kind and Sheep, feeding on the Beach and Islands adjoining thereto.*

Read a second Time, and Ordered, That the Bill have a third Reading to Morrow Morning eleven o'Clock.

Petition of
Eben. Jones.

A Petition of *Ebenezer Jones* of *Norton*, Administrator of the Estate of *Joseph Jones*, late of *Easton* in the County of *Bristol*, deceased, praying Liberty to make Sale of the Whole of the Real Estate of the said Intestate, it being apprized at very little more than what is sufficient to pay the Debts due from the Estate.

Read and Ordered, That *Col. White*, *Col. Miller*, and *Mr. Morey*, be a Committee to consider this Petition, and Report thereon.

Committee
for a Bill.

The Committee appointed to prepare and bring in a Bill further empowering the Courts of General Sessions of the Peace, to make Orders relative to the laying out and altering High-Ways, Reported a Bill Intituled, *An Act in Addition to an Act made and passed in the fifth Year of the Reign of their late Majesties William & Mary, Intituled An Act for High-Ways* : Which the Chair-man read at his Place, and then delivered in at the Table.

Bill reported
and read.

The said Bill was read a first Time, and Ordered, That the same have a second Reading, to Morrow Morning ten o'Clock.

Report on
Petition of
Eben. Jones.

The Committee appointed on the Petition of *Ebenezer Jones*, Reported thereon.

Read, and accepted, and Ordered, That the Prayer of the Petition be granted ; and that the Petitioner, in his said Capacity, be, and hereby is, authorized and empowered to make Sale of the Real Estate mentioned, for the most the same will fetch, and to make and execute a good and sufficient Deed or Deeds of the same, he observing the Law relating to the Sale of Real Estates, and giving sufficient Caution to the Judge of Probate for the County of *Bristol*, that the Overplus arising by said Sale (if any be) besides paying the just Debts of the said Deceased, shall be paid to the Heirs of the said Deceased, agreeable to Law.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Jobis 3. Die Februarii, A. D. 1757.

Bill read
and refer'd.

A Bill Intituled *An Act in Addition to an Act made and passed in the fifth Year of the Reign of their late Majesties William & Mary, Intituled An Act for High-Ways.*

Read a second Time ; and after a Debate thereon, the further Consideration of said Bill was referred.

A Bill Intitl'd *An Act to prevent Damage being done unto Billingsgate-Bay, in the Town of Eastham, by Cattle and Horse-Kind, and Sheep, feeding on the Beach and Islands adjoining thereto.* Bill engross'd.

Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence.

The Committee appointed on that Part of his Honour's Speech, Report on relating to Pay of the Soldiers on the late Expedition, and the Supply of the Treasury, Reported verbally, that they were of Opinion the Province Treasurer should be impowered to borrow the Sum of £.35,000 payable in one Year, commencing from June next ; and that a Bill be brought in accordingly : Which Report being taken under Consideration, was not accepted.

Post Meridiem.

The Committee appointed on the Petition of *David Ingersole*, Report on Reported thereon. Petition of *David Ingersole*.

Read, and not accepted ; and Ordered, That the Petition be dismiss'd.

The Committee appointed to make Enquiry into any Frauds on the Government, in the late *Crown-Point* Expedition, Reported verbally ; and thereupon, Order relating to Frauds.

Ordered, That the several Members of this House, to whose Knowledge any such Frauds have or shall come, be directed to give the said Committee Information thereof.

An engross'd Bill Intitl'd *An Act for granting unto his Majesty an Excise upon Spirits distilled and Wine, and upon Limes, Lemons and Oranges.* Bill enacted.

Read and Resolved, That the Bill pass to be Enacted.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Veneris 4. Die Februarii, A. D. 1757.

THE House, according to the Order of the Day, took under Consideration a Stamp-Act ; and after a Debate thereon, the Question was put, *Whether it be the Mind of the House, to appoint a Committee to prepare and bring in a Stamp-Bill ?* Debate on a Stamp-Act. [under]

It pass'd in the Negative.

James Minot, Esq; brought down the Report of the Committee of both Houses, appointed on the Petition of *Sarah Hunt*. Report and Order on

Signed *John Cushing*, per Order. Petition of *Sarah Hunt*,

Pass'd in Council, viz. In Council February 4th 1757. Read and accepted ; and thereupon, bro't down.

Ordered, That the said *Sarah*, on her paying the Sum of *six Pounds nine Shillings and four Pence*, being the Cost in the Action above mentioned, be, and she hereby is, fully discharged from the Execution of the said *Isaac Savage*, mentioned in the Petition, save only to the said *Savage*, his Proportion out of the Estate of *John Salmon*, deceased, according to the Decree of the Judge of Probate for the County of *Suffolk*.

Sent down for Concurrence.

Read and concur'd.

Richard

Vote of
Council
bro't down.

Richard Cutt, Esq; brought down the following Vote of Council,
Viz. In Council *February* 3d 1757.

Ordered, That the several Muster-Rolls, relative to the *Crown-Point* Expedition, be lodged with the Clerk of the House of Representatives, before they are passed upon by the Board, for the Inspection of the Members of that House, who may be most likely to discover any Frauds or Mistakes with Regard to the Persons belonging to their respective Towns, born upon said Rolls.

Sent down for Concurrence. Read and concur'd.

Petition of
John Wor-
thington, Esq;

A Petition of *John Worthington* of *Springfield*, in the County of *Hampshire*, Esq; setting forth, that in Pursuance of Orders he received from his Excellency Governor *SHIRLEY*, he impressed sundry Ox-Teams for his Majesty's Service, to be under the Direction of the Right Hon. the Earl of *Loudoun*, in which Service he was obliged to advance Money, agreeable to the Account annexed; and also that sundry of the Teamsters spent much Time in going and returning from *Albany*, and unavoidably lost sundry Articles, for which they have received no Consideration; and praying an Allowance of his Account, and what may be further judged reasonable for the Time Expences and Losses mentioned.

Read, and *Ordered*, That *Col. Williams*, *Col. Clap*, *Jacob Cushing*, Esq; *Col. White*, and *Col. Buckminster*, be a Committee to take this Petition under Consideration, and Report what they judge proper to be done thereon.

Committee
for Enquiry.

On a Motion made and seconded, *Ordered*, That the Committee appointed on that Part of his Honour's Speech, relative to the Pay of the Soldiers, and Supply of the Treasury, be directed to make Enquiry what Sums of Money may be borrowed for the Use of this Government, and for how long a Time, and Report.

Post Meridiem.

Report on
Petition of
Joshua Emery
&c.

The Committee appointed on the Petition of *Joshua Emery*, and others, Reported thereon.

Read, and not accepted; and *Ordered*, That the Petition be dismiss'd.

Report on
Petition of
Sam. Stevens.

The Committee appointed on the Petition of *Samuel Stevens*, Reported thereon.

Read, and accepted, and *Ordered*, That there be granted to the Widow and Children of the late Capt. *Phineas Stevens*, deceased, within-mentioned, two Hundred and fifty Acres of the unappropriated Lands belonging to the Province, in the County of *Hampshire*, in Consideration of his Services to this Government, for many Years, from Time to Time, before his Decease, the Petitioner to take Care that said Lands be laid out by a skilful Surveyor and Chainmen on Oath, and to return to this Court a Plan thereof for Confirmation in two Years.

Sent up for Concurrence.

Sylvanus

Sylvanus Bourne, Esq; brought down a further Report of the Committee appointed to receive Proposals from the Earl of *Loudoun*, and confer with the Commissioners from the other Governments thereon. Report of a Committee bro't down.
Signed *Thomas Hutchinson*, per Order.

In Council *February 4th 1757*, Read and sent down.
Read.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Sabbati 5. Die Februarii, A. D. 1757.

A Petition of *John Ralph*, and others, of *Harwich* in the County of *Barnstable*, setting forth, that in 1749, *Easter Attimon* obtained Leave from the General Court, to make Sale of four Acres of Land belonging to the *Potenumicutt* Priviledged Indian Proprietors (so called) to *Richard Rogers*, for the Support of her Daughter, and that the same was laid out near the middle of said Lands, which has been since found prejudicial to said Proprietors in their Improvements; and praying that on the said *Richard's* Quit-claiming the said four Acres, the said Proprietors may be allowed to execute a Deed of four Acres in the northerly Part of said Lands, in Lieu thereof. Petition of *John Ralph*, &c.

Read, and Ordered, That Col. *Cotton*, Capt. *Sprague*, and Capt. *Thomas*, be a Committee to take this Petition under Consideration, and Report thereon.

The Committee appointed to make Enquiry what Monies may be borrowed, and for how long a Time, for the Use of the Government, Reported that on Enquiry they find they can borrow the Sum of about £.12,000 for two Years, and probably a further Sum, which with about £. 12,000 more, now in the Treasury, may be sufficient to make up what is wanted for the Government's Use: Which Report was accepted; and Committee for Enquiry.

Ordered, That the Committee prepare and bring in a Bill for the Supply of the Treasury accordingly.

The Chair-man (on the Part of the House) of the Committee for taking Bonds of Mr. *Joseph Palmer*, for the Purposes mentioned in the Bill allowing a Lottery for his Benefit, communicated to the House the Draught of a Bond prepared by said Committee: Which was read, and approved. Report of a Committee.

On a Motion made and seconded, Ordered, That Col. *Gerrish*, Col. *Marcy*, and Capt. *Hubbell*, be a Committee to prepare a Vote directing the Captains of the Minute-Men (so called) draughted out of the Counties of *Hampshire* and *Worcester*, in what Manner to make up their Muster-Rolls, and Report. Committee for Muster-Rolls.

The Committee appointed on the Petition of *Ruth Alexander*, Reported thereon. Report on Petition of *Ruth Alexander*.

Read, and not accepted; and Ordered, That the Petition lie on the Table.

Resolve on
the Petition
of John Wor-
thington, Esq;

On a Motion made by the Committee appointed on the Petition of John Worthington, Esq; the Question was put,

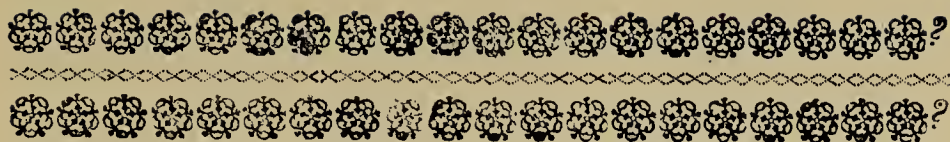
Whether it be Mind of the House, that the Amount of the Account of Money advanced, and the reasonable Expences and Charges for sundry Articles lost, referred to in said Petition, be paid out of the public Treasury ? Resolved in the Affirmative.

The said Committee were thereupon directed to examine the said Accounts, and Report.

Bill enacted. An Engross'd Bill Intituled, *An Act for raising a Sum of Money by Lottery, for carrying on certain Manufactures in the Town of Braintree.* Read and Resolved, That the Bill pass to be Enacted.

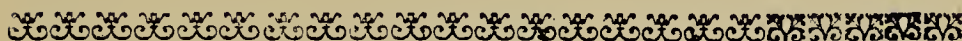
Then the House adjourn'd till Monday next three o'Clock Afternoon.





V O T E S

Of the House of Representatives.



Lunæ 7. Die Februarii, A. D. 1757.

THE Committee appointed on Petitions from sick and wounded Soldiers, Reported on the following Petitions ; which were thereupon read, and the Reports accepted, and

Report on
Petitions
from sick &
wounded
Soldiers.

Ordered, That there be allowed and paid out of the public Treasury to *William Richardson*, Esq; for the Use of *Hannah Woods*, £.4 8s. to Capt. *Ebenezer Barker*, for the Use of *George Davis*, 44s. and to Capt. *Jabez Upham* for the Use of *Benj. Brooks*, 30s. in full Consideration of the Expences &c. on the *Crown-Point Expedition* in 1755. mention'd in their respective Petitions.

Sent up for Concurrence.

The said Committee also Reported on the Petitions of *John Moor*, Jun. of *Robert Pigfley* and *Jabez Chubb*, of *Peter Harwood*, of *Samuel Ware*, and of *Joseph Barker* ; And

Report on
Petitions of
John Moor,
Jun. &c.

Ordered, That the said Petitions be dismiss'd accordingly.

The Committee on the Petition of *John Worthington*, Esq; Reported, that they had examined the several Accounts referred to in said Petition, and thereupon,

Report on
Petition of
John Wor-
thington, Esq;

Ordered, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *Fifty nine Pounds, one Shilling*, to be paid by him to the Parties interested, agreeable to the Account annexed.

Sent up for Concurrence.

The Committee appointed to prepare and bring in a Supply-Bill, Reported a Bill Intituled *An Act for Supply of the Treasury with the Sum of Thirty-five Thousand Pounds, and for applying the same for the Payment of the Forces raised for the late Expedition against Crown-Point* : Which the Chair-man read at his Place, and then delivered in at the Table.

Report on a
Supply-Bill.

The said Bill was read a first and second Time ; and *Ordered*, Said Bill That the same have a third Reading at ten o'Clock to Morrow Morning.

Vote of
Council
bro't down.

Joseph Pyncheon, Esq; brought down a further Report of the Committee appointed to receive Proposals from the Right Hon. the Earl of *Loudoun* &c. Signed *Thomas Hutchinson*, per Order.

In Council, *February 7th 1757.* Read and sent down.

Read.

Report on
Petitions of
John Halenbeck, &c.

The Committee appointed to consider Petitions from sundry Persons relating to Lands West of *Sheffield*, Reported verbally, on the Petitions of *John Halenbeck* and others, of *Josiah Loomis*, *Henry Brazze*, and others, of *Hendrick Burghardt*, and others, of *John Ashley*, and of *Benjamin Franklyn*; as heretofore entered: And

Ordered, That the said Petitions be dismiss'd accordingly.

Report on
Petition of
Sam. Robbins,
&c.

The said Committee also reported on the Petition of *Samuel Robbins* and others, as entred the 5th of *June 1755*, and referred from Time to Time.

Read, and *Ordered*, That the Consideration of this Report be referred.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Martis 8. Die Februarii, A. D. 1757.

Farmers of
Excise.

Voted, That *Jeremy Gridley* and *Samuel Miller*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Suffolk*, for the ensuing Year. Sent up for Concurrence.

Suffolk.

Essex.

Voted, That *John Tasker*, Esq; and Mr. *Daniel Staniford*, with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Essex*, for the ensuing Year. Sent up for Concurrence.

Middlesex.

Voted, That *James Russell*, Esq; and Mr. *Henry Prentice*, with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Middlesex*, for the ensuing Year. Sent up for Concurrence.

Hampshire.

Voted, That *Israel Williams* and *Joseph Hawley*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Hampshire*, for the ensuing Year. Sent up for Concurrence.

Worcester.

Voted, That *Timothy Paine* and *William Richardson*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Worcester*, for the ensuing Year. Sent up for Concurrence.

Plymouth.

Voted, That *Thomas Foster*, and *Gamaliel Bradford*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Plymouth*, for the ensuing Year. Sent up for Concurrence.

Barnstable.

Voted, That *James Otis* and *Roland Cotton*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Barnstable*, for the ensuing Year. Sent up for Concurrence.

Voted,

Voted, That *Samuel White*, Esq; and *Mr. Thomas Morey*, with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Bristol*, for the ensuing Year. Sent up for Concurrence.

Voted, That *John Bradbury*, Esq; and *Mr. Benjamin Chadbourn*, with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *York*, for the ensuing Year. Sent up for Concurrence.

Voted, That *John Norton*, Esq; and *Mr. Gershom Cathcart*, with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Dukes-County*, for the ensuing Year. Sent up for Concurrence.

Voted, That *Abishai Folger*, and *Jonathan Coffin*, Esqrs; with such as the honourable Board shall join, be a Committee to farm out the Duties of Excise on spirituous Liquors in the County of *Nantucket*, for the ensuing Year. Sent up for Concurrence.

A Bill Intituled *An Act for the Supply of the Treasury with the Sum of Thirty five Thousand Pounds, and for applying the same for the Payment of the Forces raised for the late Expedition against Crown-Point*. Bill engross'd.

Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence, by *Mr. Flucker*, Col. *Bradford*, Col. *Cotton*, Col. *Clap*, and *Mr. Heath*.

An engross'd Bill Intituled *An Act for reviving and continuing sundry Laws that are expired and near expiring*. Bill enacted.

Read, and Resolved, That the Bill pass to be enacted.

William Brattle, Esq; came down with the following Message from the honourable Board, which he read and laid on the Table, and then withdrew. In Council *February 7th 1757*. Message from the Board.

Voted, That the following Message be sent to the honourable House of Representatives.

His Honour the Lieut. Governour having informed the Board, that the Wood which had been provided for the Troops in the Barracks at *Castle-William* was expended, and that a considerable Quantity which had been before furnished for the Use of the Garrison, has been applied also for the Service of the Barracks; and the Commissary-General having informed the Board, that Application has been made to him for an additional Number of Beds, &c. the Board thought it proper, as the Court is now Sitting, that these Facts should be communicated to the honourable House, that such Order may be taken thereon, as shall be judged necessary, and most conducing to the Interest of the Province.

Read again.

A Bill Intituled, *An Act in Addition to an Act made and passed in the fifth Year of the Reign of their late Majesties William & Mary Intituled An Act for High-Ways*. Bill engross'd.

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

A Memorial of *Josiah Loomis*, living on Lands West of *Sheffield*, in the County of *Hampshire*, in Behalf of sundry Inhabitants living on said Lands, praying that since the Court have not seen fit to grant

grant the Prayer of their Petition formerly presented, for erecting them into a seperate District, they may be enabled to hire a suitable Person to preach the Gospel to them for eight Months, and be freed from paying to the Support of the Ministry in said Town, for that Time.

Read, and committed to Col. *Clap*, Capt. *Pepper*, and *Thomas Foster*, Esq; to consider, and Report thereon.

Petition of
Claude Ben-
noie, bro't
down.

John Otis, Esq; brought down the Petition of *Claude Bennoie*, Pass'd in Council, viz. In Council *February* 8th 1757.

Read, and unanimously non-concur'd, and the Board adhere to their own Vote. Sent down for Concurrence.

Read, and unanimously non-concur'd, and the House insist on their own Vote. Sent up for Concurrence.

Eldad Taylor,
Esq; directed
&c.

On a Motion made and seconded, *Ordered*, That *Eldad Taylor*, Esq; who was appointed by this Court to see Justice done to the Indians, in the Purchase which *Jonathan Willard*, and others, were allowed to make of a Tract of Land lying in the County of *Hampshire*, be directed to return the said Deed to this Court, with an Account of his Proceedings therein : Also,

Ordered, That all further Proceedings by said *Willard* and others, in Consequence of said Licence, be suspended till the further Order of this Court. Sent up for Concurrence.

Order for a
Transfer.

Mr. Speaker communicated to the House, the State of the Treasury, and the several Appropriations received from Mr. Treasurer *Gray* ; which was read ; and

Ordered, That there be a Transfer of the Sum of *Two Hundred and thirty five Pounds eight Shillings and four Pence*, being the Ballance of the Appropriation for purchasing Fire-Arms, and of the Sum of *Fifteen Hundred Pounds*, from the Appropriation of Grants, amounting in the Whole to the Sum of *Seventeen Hundred thirty five Pounds eight Shillings & four Pence*, to the Appropriation for Forts & Garrisons ; that there be a Transfer of the Sum of *One Thousand Pounds*, from the Appropriation for the Commissary's Disbursements, to the Appropriation for Debts where there is no Establishment ; and also that there be a Transfer of the Sum of *Fifteen Hundred Pounds*, from the Appropriation for Grants, to the Appropriation for the Pay of the General Court : And that the Treasurer be, and he hereby is, directed to conform himself accordingly. Sent up for Concurrence.

Report of a
Committee
bro't down.

John Hill, Esq; brought down the further Report of the Committee appointed to receive Proposals from the Right Hon. the Earl of *Loudoun*, &c. Signed *Thomas Hutchinson*, per Order.

In Council *February* 8th 1757. Read and sent down.

Read, together with the Papers accompanying the same.

Post Meridiem.

Petition of
John Norton.

A Petition of *John Norton* of *Edgartown*, in the County of *Dukes-County*, Esq; shewing that he impressed sundry Guns for Men who enlisted into his Majesty's Service for the *Crown-Point* Expedition

in

in 1755, which have not been returned to their Owners ; and praying the Direction of the Court thereon ; and also an Allowance of the Bounty Money promised to those who found their own Guns for said Service, which was not paid them by the In-lifting Officers.

Read, and committed to Mr. *Turner*, Mr. *Pierce*, and Mr. *Sherman*, to make Enquiry into the Facts mentioned, consider the Petition, and Report thereon.

The Committee appointed on the Petition of *Charles Mius*, Re-
ported thereon. Report on
Petition of
Charles Mius.

Read, and accepted, and *Ordered*, That the Select-Men of the Town of *Plymouth*, be, and hereby are, directed to assist the Petitioner in settling the Affair of the Beef and Salt mentioned, with Mr. *Thompson* ; and that the said Town have Leave, by their Select-Men, to remove the Petitioner and his Family to the Town of *Wareham*, (who have not as yet received any of the late Inhabitants of *Nova-Scotia*,) and that the Select-Men of said Town of *Wareham*, be, and hereby are, directed to provide for them as the Law directs.

Sent up for Concurrence.

A Memorial of *Robert Balls*, Keeper of the Light-House near the Entrance of *Boston* Harbour, praying a suitable Allowance for his Services in said Business, for the Year past ; and also for Fire-Wood purchased by him for the Benefit of the Lights. Memorial of
Robert Balls.

Read, and *Ordered*, That there be allowed and paid out of the public Treasury to the Memorialist *Robert Balls*, the Sum of *sixty* on. *Pounds*, in full Consideration of his Services as Keeper of the Light-House for one Year ending the 19th of *November* last ; and the further Sum of *fifteen Pounds*, in discharge of his Account of Fire-Wood expended for the greater Benefit of the Lights as mentioned. Order there-
on.

[discharge]

Sent up for Concurrence.

A Petition of *Edward Park* of *Newton*, in the County of *Mid-dlesex*, shewing that in Consequence of a Petition presented to the General Court, by *Jasper Wyman* and himself, an Order passed in *January* 1754, granting him 300 Acres of the unappropriated Lands of the Province, which he apprehends by no Means an Equivalent for the Damage he sustained from the Proprietors of *Dunstable*, as he was obliged to sell his Estate in *Newton*, on being ejected by them, to his very great Loss ; and praying such a further Grant of Lands, as shall be tho't reasonable for the Settlement of himself and Family. Petition of
Edw. Park.

Read and *Ordered*, That Capt. *Baker*, Mr. *Humphry*, and Capt. *Sprague*, be a Committee to consider this Petition, and Report what they judge proper to be done thereon.

Ordered, That Mr. *Tasler*, Col. *White*, *Thomas Foster*, Esq; Capt. *Stevens*, and Col. *Cotton*, be a Committee to prepare an Establishment for Officers and Sea-Men, to be employed in the Vessels now building to Guard the Coast, and Report. Committee
for Estab-
lishment. [Establishment]

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Mercurii 9. Die Februarii, A. D. 1757.

Committee
to examine
MusterRolls

O *Ordered*, That Mr. *Paine*, Mr. *Stone*, Capt. *Richardson*, Col. *Jones*, Col. *Gerrish*, Capt. *Brown*, and Col. *Worthington*, be a Committee to examine the Muster-Rolls for the late *Crown-Point* Expedition, as they shall be sent down from the honourable Board, from Time to Time.

Supply Bill
enacted.

An engross'd Bill Intituled *An Act for the Supply of the Treasury with the Sum of Thirty five Thousand Pounds, and for applying the same for Payment of the Forces raised for the late Expedition against Crown-Point.*

Read and Resolved, That the Bill pass to be Enacted.

Message
from the
Board.

Mr. Secretary *Oliver* came down with a Message from the honourable Board to acquaint the House, that his Excellency the Earl of *Loudoun*, has just now sent a Message to know whether the Government have made Provision for any Number of Beds, for the Recruits of his Majesty's Forces Quartered in the Barracks on *Castle-Island*, there being 34 lately arrived, and others daily expected: And that therefore they desire the House would take under Consideration this Affair, and give such Orders thereon, as they shall judge proper: Thereupon,

Vote there-
on.

Voted, That the Commissary-General be directed to furnish the Barracks now built on *Castle-Island*, with a sufficient Number of Beds, for the Use of his Majesty's Forces, that are or may be sent there.

Sent up for Concurrence.

Capt. *John*
Frye admit-
ted into the
House.

The House being acquainted that Capt. *John Frye* was at the Door, agreeable to the Direction of the House of the 31st *January* last, waiting for Admittance; He was admitted accordingly: And after being examined by Mr. Speaker and the House, relative to the Frauds reported he had been guilty of, in making up his Muster-Rolls for the first *Crown-Point* Expedition: He was directed to withdraw. And

Ordered, That Col. *Worthington*, Col. *Clap*, and Mr. *Gridley*, be a Committee to prepare a State of the Case, consider the Affair, and Report what they judge proper for this Court to do thereon.

Report on
Memorial of
Josiah Loomis.

The Committee appointed on the Memorial of *Josiah Loomis*, as entred Yesterday, reported thereon.

Read and not accepted, and *Ordered*, That the Memorial be dismiss'd.

Order on
Petition of
Sam. Robbins.

The Report of the Committee appointed on the Petition of *Samuel Robbins*, was read again; and being taken under Consideration, the said Report was not accepted; and

Ordered, That the Petition be dismiss'd.

Post Meridiem.

Vote relat-
ing to Col.
Williams's
inlisting Mo-
ney.

Whereas it is represented to this House by Col. Abraham Williams of Marlborough, that by Order of this Court, he inlisted one Marshall Newton, (among other Soldiers) into his Majesty's Service, and received the Bounty Money for said Soldiers of the Treasurer, and gave his Bond to Account with the Treasurer for said Sum;

And

And as the said Marshall was afterwards Commissioned as an Officer in said Service, the Treasurer refuses to make said Col. Williams Allowance in his said Account, for the Bounty paid said Marshall: Therefore

Voted, That the Treasurer be directed to make Allowance to said Williams, for the Bounty paid the said Marshall, and give him Credit on his Bond therefor, his being afterwards made an Officer notwithstanding.

Sent up for Concurrence.

The Committee appointed on Petitions from sick and wounded Soldiers, Reported on the Petition of *Jonathan Bartlet*; which was read, and the Report accepted; and

Report on
Petition of
John Bartlet.

Ordered, That there be allowed to the Petitioner the Sum of twenty two Shillings & ten Pence, and that the same be paid out of the public Treasury for his Use to John Worthington, Esq; in full Consideration of the Expences mentioned, on Account of his Son's Sickness whilst in the Service on the Expedition against Crown-Point, in the Year 1755.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Jovis 10. Die Februarii, A. D. 1757.

SAmuel Danforth, Esq; brought down the Petition of *Wrestling Brewster*, with the Answer of *Samuel Bartlet, Esq;* Pass'd in Council, viz. In Council Febr. 9th 1757. Read again, together with the Answer, and other Papers accompanying the same; and thereupon *Ordered, That the Prayer of the Petition be granted, and that the Petitioner be, and he hereby is, allowed an Appeal from the Judgment of Samuel Bartlet, Esq; on the Action within mentioned, to the next Court of General Sessions of the Peace, to be held for the County of Plymouth, and the Justices of said Court are hereby impowered and directed to hear and try the same, and to enter up Judgment thereon, in as full and ample a Manner, as tho' the said Appeal had been claimed and granted as the Law directs.*

Petition of
*Wrestling
Brewster,*
bro't down.

Sent down for Concurrence.

Read and concur'd.

John Otis, Esq; brought down the Petition of *Joseph Lee, Esq;* with the Report of a Committee of both Houses thereon.

Petition of
Joseph Lee,
Esq; bro't
down.

Signed *Samuel Watts*, per Order.

Pass'd in Council, viz. In Council February 9th 1757. Read and accepted, and *Ordered, That John Worthington, Esq;* be directed and impowered, and he is hereby impowered, to pursue such Measures in the Law, as may be effectual to remove all Persons who had taken Possession of any Part of the Province Lands in the District of *Montague*, sold to the Petitioner *Joseph Lee, Esq;* prior to the Sale thereof made to said *Lee*, and to put him into quiet Possession of the same; and the said *John Worthington, Esq;* is likewise directed and impowered to employ a Surveyor, to ascertain the Grant of five Hundred Acres heretofore made by this Court, to the Town of *Hadley*, and return a Plan thereof to this Court.

Sent down for Concurrence. Read and concur'd.

John

Petition of
William Stanley,
bro't
down.

John Greenleaf, Esq; brought down the Petition of *William Stanley*, with the Answer of *Moses Wittum*. Pass'd in Council, viz. In Council *Febr. 8th 1757*. Read again, together with the Answer of *Moses Wittum*, and Ordered, That *William Brattle*, Esq; with such as the honourable House shall appoint, be a Committee to take this Petition and Answer under Consideration, and to make Report what they think proper to be done thereon. Sent down for Concurrence.

Read and concur'd, and Mr. *Chadburne*, and Mr. *Lancaster*, are joined in the Affair.

On a Motion made by the Committee appointed to examine the Muster-Rolls : The Question was put,

Resolve on
making up
Muster-Rolls

Whether the Soldiers who returned from Nova-Scotia the last Spring, and inlisted into the Service on the late Crown-Point Expedition after the 22d Day of April last, are intitled to their Half-Pay until they inlisted ? And it pass'd in the Negative. Also *Whether the said Soldiers who returned from Nova-Scotia, and inlisted into the Service against Crown-Point, on the said 22d Day of April last, are intitled to their Half-Pay till that Time ?*

Resolved in the Affirmative.

Letter from
Pierfon Eaton
and Order
thereon.

A Letter from *Pierfon Eaton* to Capt. *Hutchins*, a Member of this House, dated *Lunenburg Febr. 7th 1757*, Representing the Difficulties he is under, by Reason of some of his Family being dangerously Sick, and desiring the Favour of the House to excuse him for not attending according to their Direction, was communicated to the House. And thereupon,

Ordered, That he be directed to attend on Thursday the 17th Instant ; and that the Clerk of the House notify him accordingly.

Vote of
Council -
bro't down.

George Leonard, Esq; brought down the following Vote of Council, viz. In Council *Febr. 9th 1757*. *Whereas a considerable Number of Carpenters, Inhabitants of this Province, were taken Captives at Oswego, and carried to Canada, and probably may have been sent to England to be exchanged : Therefore,*

Ordered, That the Secretary write to Mr. Agent *Ballan*, and acquaint him with the peculiar Circumstances of those Persons, and direct him to use his Endeavours that they be sent back to their Families and Friends in *New-England*.

Petition of
John Frye.

Read and Ordered, That the same lie on the Table.

A Petition of *John Frye* of *Sutton*, in the County of *Worcester*, praying the Lenity and Favour of the House, with Regard to the Errors he was guilty of in making up the Muster-Roll of his Company on the Expedition against *Crown-Point*, for the Year 1755, Part of which were thro' Inadvertence ; and that the House would please to determine upon the Affair themselves, whose Determination he stands ready to submit to, and that he may not be put to the Charge of a Prosecution at the Common Law.

Read and committed to the Committee appointed to prepare a State of the said *Frye's* Case, and consider what may be proper to be done by this Court thereon.

Post Meridiem.

On a Motion made and seconded, The House took under Consideration a suitable Method for raising this Province's Quota of Men for his Majesty's Service, under the Command of his Excellency the Earl of *Loudoun* : And after a large Debate thereon :

Ordered, That Col. *Williams*, Col. *White*, and Col. *Otis*, be a Committee to prepare and bring in a Bill, agreeable in general, to the Act pass'd in *September* 1755, for Draughting the Men out of the several Regiments within the Province.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Veneris 11. Die Februarii, A. D. 1757.

A Bill Intitl'd *An Act for raising a Sum of Money by Lottery for the Encouragement of the Settlement called German-Town, in the Town of Braintree.* Bill read. Read a first, second and third Time, and

Ordered, That a Paragraph be brought in for the Amendment propos'd.

A Petition of *Deborah Sherman*, Wife of *Joshua Sherman* of *Plymouth*, shewing that her Husband being in the Service on the late *Crown-Point* Expedition, on his Return was taken Sick and Lame, and is unable to get Home, that by Reason of her extream Poverty she cannot provide Means for his Return; and praying the Consideration of this Court, and that such Order may be made thereon, as shall be judged reasonable.

Read, and committed to Mr. *Witt*, Col. *Lawrence*, and Capt. *Richardson*, to consider, and Report thereon.

An engross'd Bill Intitl'd *An Act to prevent Damage being done unto Billingsgate-Bay in the Town of Eastham, by Cattle and Horse-Kind, and Sheep feeding on the Beach and Islands adjoining thereunto.* Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

A Bill Intitl'd *An Act in Addition to an Act made and pass'd in the fifth Year of the Reign of their late Majesties William & Mary, Intitl'd An Act for High-Ways.* Pass'd in Council, viz. In Council *Febr.* 8th 1757. Read a first Time. Read a second Time, and pass'd a Concurrence to be Engross'd with the Amendment at A, B, & C. Sent down for Concurrence.

Read and concur'd with the further Amendment at D.

Sent up for Concurrence.

Post Meridiem.

The Amendment propos'd on the Bill Intitl'd *An Act for raising a Sum of Money by Lottery for the Encouragement of the Settlement called German-Town, in the Town of Braintree*; and also, the Draught of the Bond referred to in said Bill; Read and approved by the House; and thereupon the said Bill was pass'd to be engross'd.

Sent up for Concurrence.

Vote on a Motion of a Committee. On a Motion made by the Committee appointed to examine the Muster-Rolls for the late *Crown-Point* Expedition, that the Sense of the House might be given for the said Committee's Direction :

Voted, That the Half-Pay of such Officers and Soldiers as were engaged in former Services, voted to be allowed on their inlisting into the Service, on the late *Crown-Point* Expedition, be computed according to the Wages they were intitled to by Establishment, before they entered into the last mentioned Service.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Sabbati 12. Die Februarii, A. D. 1757.

Petition of *Eben. Nichols*, Esq; &c. **A** Petition of *Ebenezer Nichols*, Esq; in Behalf of *Susannah Flynt*, Widow of the late Capt. *Flynt*, who died in the Service on the last *Crown-Point* Expedition, praying the Direction of this Court, with Regard to the Bond her said Husband gave the Province Treasurer, to be accountable for the Bounty Money he received for inlisting Men into said Service, the said Treasurer not being able, agreeable to the Order of this Court, to give up said Bond, without Oath being made to his Payment of said Money for the Purposes intended.

Read and committed to Col. *Cotton*, Mr. *Morey*, and Col. *White*, to prepare the Draught of a proper Vote to be passed thereon.

Memorial of Overseers of the Town of *Salem*. **A** Memorial of *Benjamin Pickman*, Esq; in Behalf of the Overseers of the Poor of the Town of *Salem*, setting forth, the great Inconvenience to said Town (as well as Damage to the Public) arising by their keeping of so great a Number of the late Inhabitants of *Nova-Scotia* as are now there, and the Danger of their escaping in some of their Fishing or Merchant Vessels, and joining the Enemy; and praying that they may be ordered to some Inland Towns of the Province, where they may be supported at less Expence, and less Hazard of their Escaping.

Read and Ordered, That Mr. *Staniford*, Capt. *Newhall*, and Mr. *Whipple*, be a Committee to take this Memorial under Consideration, and Report thereon.

Report on *Worcester* Excise bro't down. *John Otis*, Esq; brought down the Report of the Committee appointed to farm out the Duties of Excise on Tea, Coffee and China Ware, in the County of *Worcester*.

Signed *John Chandler*, per Order.

In Council Febr. 11th 1757. Read and sent down.

Read and accepted, and Ordered, That there be allowed and paid out of the public Treasury, the Sum of *eighteen Shillings and eight Pence* to the said Committee, in Discharge of their Account of Time and Expences exhibited. Sent up for Concurrence.

An Engross'd Bill Intituled *An Act for raising a Sum of Money by Lottery for Encouragement of the Settlement called German-Town, in the Town of Braintree*.

Read and Resolved, That the Bill pass to be Enacted.

A Petition of *Elijah Collins* of *Boston*, in the County of *Suffolk*,
 setting forth, that at the Superiour Court held for said County in *February* last, he recovered Judgment against one *John Hicks* for
£. 20 11s. 2d. and apprehending it was but about Half what
 was his just Due, he determined to Review the Action at the said
 Court in *August* next, and informed said *Hicks's* Attorney there-
 of ; who, to prevent the same took out a Writ of Review of the
 same Action to be tried before the said Court to be held in *Boston*
 the next Week, which was served on him on the last Day of Service,
 whereby he is prevented bringing forward his Review as he
 intended, and must loose the Advantage of Recovering any more
 on his said Action, without the Interposition of this Court ; and
 praying the said Action may be continued, and he allowed to
 bring his Writ of Review to the said Court in *August* next.

Petition of
Elijah Collins.

Read and Ordered, That the Petitioner serve the adverse Party's
 Attorney with a Copy of this Petition, that he shew Cause (if any
 he has) on Monday next, Afternoon, why the Prayer thereof
 should not be granted. Sent up for Concurrence.

A Memorial of *Mr. Timothy Walker*, of *Rumford*, in the Province of
New-Hampshire, praying that his Petition sometime since present-
 ed to the Court, may be revived, and pass'd on, he apprehend-
 ing he is able to Ascertain some Facts, the Uncertainty whereof, he
 has been informed, was one Reason of referring the Consideration
 thereof.

Petition of
Mr. Timothy Walker.

Read and Ordered, That the Petition referred to in the Memo-
 rial be revived, and committed to the Committee appointed the
 8th of *June* last, to consider and Report what they judge
 proper for this Court to do thereon ; and that *Mr. Witt*, and
Mr. Welles, be added to the said Committee.

The Committee appointed on the Petition of *Ebenezer Nichols*,
 Reported thereon.

Report on
Petition of
Eben. Nichols,
Esq;

Read and accepted, and Ordered, That the Prayer of this Pe-
 tition be so far granted, as that the Province Treasurer be, and
 he hereby is, directed to deliver up to the Petitioner the Bond
 mentioned, upon the Petitioner, or the said *Susannah's* giving full
 Satisfaction to the Treasurer, what Sums Capt. *Flynt* paid as
 Bounty to the Men he enlisted, and accounting with the said
 Treasurer for the Balance due on said Bond, if any there be.

Sent up for Concurrence.

Whereas it is represented to this Court, That *Mr. Henry Leddel*
 of *Boston*, who was Secretary to General *Winslow* in the late Expedi-
 tion to *Crown-Point*, will be wanted to attend on the Committees of this
 Court, appointed to make Enquiry into any Frauds on this Government,
 and for the Muster-Rolls, and on General *Winslow*, and the Com-
 missary-General, for Information in public Matters :

Vote relat-
ing to *Mr.*
Henry Leddel.

And whereas the said *Leddel* is in Danger of having his Person
 exposed to Writs and Executions from his Creditors &c. Therefore

Voted,

Voted, That the said *Henry Leddell* be granted the Protection of this Government for the aforesaid Purposes, until the first Day of *April* next, and such Protection, for the said definite Time, shall be as good and valid to all Intents and Purposes, as any Protection from the Courts of Common Law, and the Service of any Writ, Execution, or other Civil Process on said *Leddell*, during the Continuance of such Protection, shall be and hereby is declared void, and the Officer arresting him, shall, upon the Sight of a Copy of this Order signed by the Secretary of the Province, discharge him from such Arrest. Sent up for Concurrence.

Commissary
General directed.

Ordered, That the Commissary-General be directed to furnish the Barracks lately built at *Castle-William* with Blankets, as well as Beds, for the Use of such of his Majesty's Forces as are or may be sent thither, he taking a Certificate from one or more of the principal Officers, who may have the immediate Care of them, that such Things have been received, and that he lodge a Copy thereof with the Lieutenant of *Castle-William*, who is hereby directed to receive and take Account of all the Province Stores which may be left in the Barracks, in the Presence of some of said Officers, when the Forces shall quit the Barracks.

Sent up for Concurrence.

Bill bro't
down.

John Chandler, Esq; brought down the Bill Intituled *An Act for the better Regulating the Fishery &c.* Pass'd in Council, viz. In Council *Febr.* 9th Read a first Time. *Febr.* 11th Read a second Time, and pass'd a Concurrence to be Engross'd with the Amendments at A, B, C & D. Sent down for Concurrence.

Read and concur'd, with the further Amendment at E.

Sent up for Concurrence.

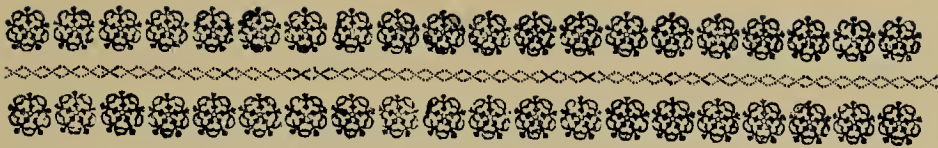
Report on
Memorial of
Select-Men
of Boston.

The Committee appointed on the Memorial of the Select-Men of the Town of *Boston*, Reported thereon.

Read and *Ordered*, That the Consideration of this Report be referred till Tuesday next, three o'Clock Afternoon.

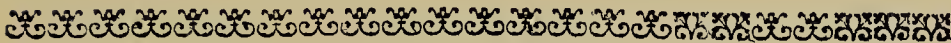
Then the House adjourn'd till Monday next three o'Clock Afternoon.





V O T E S

Of the House of Representatives.



Lunæ 14. Die Februarii, A. D. 1757.

THE Committee appointed to prepare a Vote directing in what Manner the Muster-Rolls of the Men draughted out of the Militia last Fall to Reinforce General *Winflow's* Army, should be made up, Reported thereon.

Report of a Committee relating to Soldiers.

Read and accepted, and *Ordered*, That the Colonels of the Regiments in the Counties of *Hampshire* and *Worcester* be directed to collect an exact Account of the Time when the Men, that were ordered to be draughted out of their respective Regiments, for Reinforcing the Army under the Command of General *Winflow* the last Fall, were drawn out or inlisted, and for how long a Time they (whether Officers or Soldiers) were actually in the Service, and who refused to march the first or second Time, and Report as soon as may be to this House, in order to their equitable Payment.

Order thereon.

Eleazer Porter, Esq; brought down the Petition of *Ebenezer Nichols*. Pass'd in Council, viz. In Council *Febr.* 12th 1757. Read and concur'd with the Amendments at A & B.

Petition of *Eben. Nichols*, bro't down.

Sent down for Concurrence.

Read and concur'd, and Col. *Bradford*, and Mr. *Bradbury*, are joined in the Affair.

A Memorial of *John Dalhonde* of *Boston*, in the County of *Suffolk*, praying that a Petition he presented to the General Court, as heretofore entered, for an Allowance for his Services as Chirurgeon to the Army in 1755, for a longer Time than he was made up in the Muster Roll, which (as he is informed) was dismissed for want of Evidence to the Facts set forth, may be revived, and a reasonable Allowance made him therefor, on his ascertaining said Facts, which he apprehends he is now able to do.

Memorial of *John Dalhonde*.

Read and *Ordered*, That this Memorial be committed to the Committee appointed on Petitions from sick and wounded Soldiers, to consider and Report thereon.

S f f

William

Petition of
Claude Ben-
noie bro't
down.

William Brattle, Esq; brought down the Petition of *Claude Bennoie*. Pass'd in Council, viz. In Council *Febr.* 8th 1757. Read, and Non-concur'd; and in as much as it appears, that there were but ten of the French Neutrals ordered by the Court to the Town of *Cambridge* in *September* last, that three of the French Neutrals were ordered to be sent to the Town of *Dunstable*; that the Select-Men of the Town of *Cambridge* took thirteen, the three ordered to *Dunstable* being Part of that Number, and have supported them ever since: Therefore

Voted, That the Select-Men of the Town of *Newton* have Liberty to send the said *Claude Bennoie* and Wife to the Town of *Dunstable*; and the Select-Men of the Town of *Dunstable*, are hereby directed to take Care of them, agreeable to the Laws of this Government in that Case made and provided.

Sent down for Concurrence.

Read and *Ordered* to lie on the Table.

Debate &c.
on Vote of
Council.

The House Re-assumed the Consideration of the Vote of Council of the 9th Instant, directing the Secretary to write to Mr. Agent *Bollan*, Relative to the Carpenters taken at *Oswego*: And after a Debate, pass'd a Concurrence with the honourable Board, with the Amendments at A & B. Sent up for Concurrence.

Letter &c.
from Mr.
Agent *Bollan*.

Mr. Speaker acquainted the House, he had just received a Packet from Mr. Agent *Bollan*: And thereupon the several Papers inclosed, were read.

Bill Report-
ed.

The Committee appointed to prepare a Bill for Draughting Men out of the several Regiments of Militia in the Province, Reported A Bill Intituled *An Act for the more speedy Levying Soldiers for his Majesty's Service*. Read a first and second Time. And

Ordered, That the Bill be recommitted for the proposed Amendments.

Post Meridiem.

Committee
to confer
with Gover.
Lawrence.

On a Motion made and seconded, *Voted*, That Judge *Russell*, Mr. *Gridley*, and Mr. *Bradbury*, with such as shall be joined by the honourable Board, be a Committee to confer with his Excellency Governour *LAWRENCE*, in order to the obtaining a Reimbursement of the Charges this Province have been at in supporting the Inhabitants of *Nova-Scotia*, as well those who were immediately ordered here by that Government, as those who arrived here from some of his Majesty's Southern Governments, and Report.

Sent up for Concurrence.

Report on
Capt. *Frye's*
Case.

The Committee appointed to prepare the State of Capt. *Frye's* Case; and also his Petition to the House relative to the supposed Frauds in his Muster-Roll, Reported verbally, That they were of Opinion, the Affair should subside at present, till the said *Frye* should have an Opportunity of paying into the Treasury the Money belonging to the Province, which is now in his Hands.

Which Report was accepted.

The

The Committee appointed on the Petition of *Meriam Ashley*,
Reported thereon. Report on
Petition of
Meriam Ash-
ley.

Read and *Ordered*, That the Report lie on the Table.

An engross'd Bill Intitl'd *An Act for the better regulating the Fishery*, Read and *Resolved*, That the Bill pass to be Enacted. Bill enacted.

A Petition of *Daniel Gedding* of *Ipswich*, in the County of *Essex*, setting forth, That by Order of the late *Thomas Berry*, Esq; deceased, he billeted sundry Soldiers for the *Crown-Point Expedition* in 1755, as also sundry others the last Spring, and praying an Allowance therefor, according to the Account exhibited. Petition of
Daniel Ged-
ding.

Read and *Ordered*, That the Petition be committed to the Committee appointed on Petitions from sick and wounded Soldiers, to consider, and Report thereon.

John Erving, Esq; brought down a Petition of *John Gowell*, praying an Allowance for thirty-two Cord of Wood supplied the Barracks on *Castle-Island*, for his Majesty's Forces quartered there, with Capt. *Larrabee's* Receipt accompanying the same. Petition of
John Gowell
bro't down.

Read.

A Memorial of *Elijah Williams* of *Deerfield*, in the County of *Hampshire*, Esq; praying the Directions of this Court with Regard to the Provisions he was directed the Beginning of this Winter, to provide for, and send to the Garrison at *West-Hoosuck*, which he accordingly sent as far as *Fort-Massachusetts*, and left there, finding that the Men posted there have been lately allowed by this Court to subsist themselves. Memorial of
Elijah Willi-
ams, Esq;

Read and *Ordered*, That Judge *Russell*, Mr. *Lyman*, and Mr. *Gibbs* of *Newton*, be a Committee to consider this Petition, and Report what they judge proper for this Court to do thereon.

On a Motion made and seconded, *Ordered*, That the Members for the Town of *Salem* and District of *Danvers*, be allowed to bring in a Bill empowering the Inhabitants of *Salem* to raise Money for hiring Men for his Majesty's Service. Order on
Motion of
Salem Mem-
bers.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Martis 15. Die Februarii, A. D. 1757.

A Petition of *John Barnard* of *Road-Town* (so called) in the County of *Hampshire*, setting forth, that being admitted a Settler on his Father's Right in *Upper-Hoosatonuck* (so called) he Released, many Years since, to a Committee of the General Court appointed for that Purpose, his Interest therein for the Use of the Indians at *Stockbridge*, for which the said Committee agreed he should have an Equivalent of 600 Acres in the Unappropriated Lands belonging to the Province in said County, which was accordingly laid out, and a Plan thereof returned to said Committee, but by some Means or other a Deed of the same was never executed; and praying that the Premises may be considered, and a Confirmation made of said Lands to him, agreeable to the Plan thereof exhibited. Petition of
John Barnard

Read

Read, and *Ordered*, That Col. *Lawrence*, Mr. *Heath*, and Col. *Miller*, be a Committee to take this Petition under Consideration, and Report thereon.

Petition of
Barnabas
Freeman.

A Petition of *Barnabas Freeman* and others, in Behalf of the North Precinct in the Town of *Harwich*, setting forth, That on the Muster appointed in *April* last, for impressing their Quota of Men for the late *Crown-Point* Expedition, (the Men belonging to the Company in said Precinct being mostly absent on the Whaling and Fishing Business,) they could not furnish the Number assigned them ; and afterwards the said Precinct agreed to hire Men for that Purpose, with Money to be taken out of their Treasury, and voted to raise a Sum for that Purpose, which was borrowed and applied for that End accordingly ; but it being apprehended they cannot legally draw the Money out of the Treasury for Repayment of what they borrowed, without the Interposition of this Court ; therefore praying that said Precinct may be empowered to discharge said Debt, agreeable to the Vote mentioned.

Read, and committed to Col. *Clap*, Col. *Miller*, and Col. *Cotton*, to consider, and Report what they judge proper for this Court to do thereon.

Bill read.

The proposed Amendments on the Bill Intituled *An Act for the more speedy Raising of Men for his Majesty's Service*, were Read and accepted : Thereupon

The said Bill was read a third Time ; and pass'd to be engross'd.

Sent up for Concurrence by Mr. *Gunn*, Capt. *Henry King*, and Capt. *Hutchins*.

Report on
Petitions of
sick and
wounded
Soldiers.

The Committee appointed on Petitions from sick and wounded Soldiers, Reported on the Petition of *Ebenezer Parker* ; which was thereupon read, and the Report accepted : And

Ordered, That there be allowed the Petitioner the Sum of *twelve Shillings*, in Consideration of his Services mentioned as a Lieut. in the Expedition against *Crown-Point* in 1755, and that the same be paid out of the public Treasury to Capt. *John Temple*, for the Use of the Petitioner. Sent up for Concurrence.

The said Committee also Reported on the Petition of *Philip Wheeler* ; which was read, and the Report accepted : And

Ordered, That the Petition lie on the Table accordingly, for further Consideration.

Vote relating
to the
inlitting Sol-
diers &c.

Whereas this House have agreed to raise Eighteen Hundred Men for his Majesty's Service under the immediate Command of his Excellency the Right Hon. the Earl of Loudoun, Commander in Chief of his Majesty's Forces in North-America :

Voted, That each able-bodied effective Man who shall voluntarily inlist himself into said Service before the 21st of *March* next 12 o'Clock at Night, shall be intitled to six Dollars Bounty, to be paid at the Time of his Inlittment, and a good Blanket : And

As a further Encouragement to such as were in the Service on the Expedition to the River *Kennebeck* in 1754, on either of the late Expeditions against *Crown-Point*, in his Majesty's Service within three Years last past, either at *Nova-Scotia*, in the Batteau Service,

Service, as Pioneers, or in the Independent Companies under Capt. Rogers, that have been employed by this Government in the Defence of the Frontiers within said Time of three Years last past; That each able-bodied effective Man, who shall voluntarily enlist himself a-new, and by the Time aforesaid, shall be intitled to four Dollars more, over and above the Bounty aforesaid, to be paid at the same Time. And also,

That there be allowed *three Shillings* per Week, to each Man who shall enter into said Service for his Subsistence, from the Time of his being enlisted or draughted out of the Company of Militia to which he belongs, until he shall receive the King's Allowance, over and above what his Lordship has been pleased to allow.

And further *Voted*, That all Persons who shall be employed in the Service aforesaid, shall be freed from their Poll-Tax to the Province, the ensuing Year. Sent up for Concurrence.

Voted, That the following Establishment of Wages, be made for Officers and Soldiers to be employed in his Majesty's Service under the Command of the Right Hon. the Earl of Loudoun, Commander in Chief of all his Majesty's Forces in *North-America*, Viz.

Establishment of the Wages of Officers and Soldiers.

	£.	s.	d.	
For one Colonel, ————	18	0	0	Per Month
For two Lieut. Colonels——each —	15	0	0	Ditto
For two Majors ——— each——	12	0	0	Ditto
For seventeen Captains ——— each —	8	0	0	Ditto
For seventeen first Lieutenants, & } seventeen second Lieuts. } each	5	0	0	Ditto
For seventeen Ensigns———— each——	3	10	0	Ditto
For two Chaplains———— — each——	6	8	0	Ditto
For two Chirurgeons ——— each —	10	0	0	Ditto
For two Chirurgeons Mates — each —	5	6	8	Ditto
For each Serjeant ——— ———	2	3	1	Ditto
For each Corporal ——— ———	1	18	7	Ditto
For each Drummer ——— ———	1	18	7	Ditto
For one Commissary ——— ———	8	0	0	Ditto
For each private Centinel, ————	1	16	0	Ditto

Sent up for Concurrence.

Mr. Secretary *Oliver*, brought down the Vote passed the House for the Protection of Mr. *Henry Liddell*, with a Message from the honourable Board, to acquaint the House that the said Vote having been laid before his Honour the Lieut. Governour, he apprehended the Protection should be limited as to Place: Whereupon the Board had agreed to an Amendment; which he was directed to propose to the House.

Vote relating to *Henry Liddell* bro't down.

To which Proposal the House agreed.

Ordered, That Col. *Gerrish*, Col. *Murray*, and *Benjamin Reed*, Esq; be a Committee to agree with some Printer for 5000 Notifications, and 2000 Enlistments for the Use of the Captains of the several Companies of Militia within the Province.

Committee to agree with a Printer &c.

Post Meridiem.

Petition of *Wm. Stanley*, bro't down. *George Leonard*, Esq; brought down the Petition of *William Stanley*, with the Answer of *Moses Wittum*, and the Report of a Committee of both Houses thereon. Signed *Wm. Brattle*, per Order.

Pass'd in Council, viz. In Council *Febr. 15th 1757.*

Resolved and Ordered, That *William Stanley* have Liberty to Review the Action he commenced at the last Inferiour Court of Common Pleas held at *York*, in and for the County of *York*, on the second Tuesday of *July* last, against *Moses Wittum*, at the next Inferiour Court of Common Pleas to be holden at *York* aforesaid, on the first Tuesday of *April* next; and that the Justices of said Court be, and hereby are, fully impowered then & there, to hear, try & determine said Action, give Judgment, and award Execution thereon, as if the same was then to Originate, or as they might have done, had the late Law of the Province for Reviews in the Inferiour Courts of Common Pleas been in Force.

Sent down for Concurrence. Read and concur'd.

Petition of *Amos Gates*. A Petition of *Amos Gates*, Guardian to *Prudence Gates* of *Stow*, in the County of *Middlesex*, Widow & Non-compos, shewing that the Charge of supporting her, already amounts to more than the personal Estate she was possessed of; and praying for Liberty to make Sale of the whole of her Real Estate, the Rent thereof being very small, & he apprehending that selling off Part in order to discharge the Debts already arisen, will be a great Damage to the Residue thereof, he to be accountable for the Produce of such Sale, as shall be judged proper

Read and committed to Capt. *Whitney*, Mr. *Morey*, and Mr.

Committee on Commissaries Accounts.

Humphry, to consider, and Report thereon.

Voted, That *James Russell*, Esq; Col. *Worthington*, and Mr. *Welles*, with such as the honourable Board shall join, be a Committee to examine the Accounts of the several Commissaries of the Forces of this Province, in the late Expedition against *Crown-Point*, and Report.

Sent up for Concurrence.

Order on Memorial of Select-Men of *Boston*.

The House, according to Order, took under Consideration the Report of the Committee appointed on the Memorial of the Select-Men of the Town of *Boston*: And after a large Debate thereon,

Ordered, That the Assessors for the Town of *Boston*, be directed to lay the Estate and Rate Bills of said Town before the House.

Committee relating to Bounty Money.

Ordered, That the Committee who were appointed to prepare the Bill for the more speedy Levying Soldiers for his Majesty's Service, prepare the Draught of a proper Vote, obliging the Officers, who shall receive the Bounty Money for inlisting Soldiers for the present Service, to be accountable for the same, where they shall pay any to such as shall not pass Muster, and the Person inlisted shall be unable to repay the same, and Report.

John Hill, Esq; brought down the Report of the Committee appointed to receive Proposals from the Right Hon. the Earl of *Loudoun*, &c.

Signed *Thomas Hutchinson*, per Order.

Pass'd

Pass'd in Council, viz. In Council *Febr.* 14th 1757. Read, and *Ordered*, That this Report be accepted.

Sent down for Concurrence. Read and concur'd.

Ordered, That Col. *Cotton*, the Clerk of the House, and Col. *Clap*, Committee be a Committee to prepare a List of the Travel and Attendance for List. of the Members of this House, the present Sitting, and Report.

The Petition of *John Gowell*, as entred Yesterday, read again, together with the Certificate accompanying the same, and Order on Petition of *John Gowell*.

Ordered, That Col. *Worthington*, Capt. *Brown*, and Col. *Otis*, be a Committee to consider of some proper Method for supplying the Barracks at *Castle-Island* with Wood, for the Use of his Majesty's Forces now quartered there, and Report.

The Committee appointed to prepare the Bill for the more speedy Levying Soldiers for his Majesty's Service, Reported the following Draught of a Vote, according to Order, which was read and accepted, viz. Report of a Draught relating to a Bounty &c.

Voted, That the Bounty Money for inlisting Men into his Majesty's Service, shall be paid by the Treasurer to the Colonels or chief Commanding Officers of each Regiment within this Province, according to the Number of Men that shall be assigned them respectively to raise, at six Dollars for each Man, to be by them paid to such Persons as shall enlist into said Service, on or before the 21st of *March* next, and pass Muster for effective, by the Commissaries of the Musters, that shall be appointed by his Honour the Lieut. Governour, for that Purpose, the said Colonel or chief Officer to Account with the Treasurer within one Month next after the 22d of *March* next, for the Monies by them respectively received.

Sent up for Concurrence.

On a Motion made and seconded, The House took under Consideration a Supply of the Treasury for the Bounty agreed to be paid to such as shall enlist into his Majesty's Service, under the Command of his Excellency the Earl of *Loudoun*; and after a Debate thereon, Committee for a Method to supply the Treasury.

Ordered, That Col. *Otis*, Mr. *Welles*, and Mr. *Flucker*, be a Committee to consider of some proper Method for Supplying the Treasury for said Purposes, and Report.

William Brattle, Esq; brought down the Vote of the House, for Encouragement of Men to enlist into his Majesty's Service. Pass'd in Council, viz. In Council *Febr.* 15th 1757. Read and concur'd with the Amendments at A, B, & C. Vote relating to Men bro't down. Sent down for Concurrence.

Read and unanimously non-concur'd; and the House unanimously adhere to their own Vote. Sent up for Concurrence.

On a Motion made and seconded, *Resolved*, That the House proceed to make Allowances to the Civil Officers of the Government, on Thursday next, at ten o'Clock in the Forenoon. Resolve on Allowances.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Mercurii 16. Die Februarii, A. D. 1757.

Report on
Petitions of
*Barnabas
Freeman.*

THE Committee appointed on the Petition of *Barnabas Freeman*, in Behalf of the second Precinct in *Eastham*, Reported thereon,

Read, and accepted, and *Voted*, That the Prayer of the Petition be so far granted, as that the Votes of said Precinct at their Meeting therein mentioned, for raising the Sum of *eighty Pounds*, and assessing the Inhabitants therefor, be, and is hereby, rendred valid and effectual in Law, and that the Constable of said Town hereby is required to collect the same, according to the Assessments delivered to him, and to pay it to the Precinct Treasurer, and that the Petitioners are hereby fully impowered to draw the same out of the said Precinct Treasury, for the Purposes mentioned in the Petition.

Sent up for Concurrence.

Bill Report-
ed & read.

The Members for the Town of *Salem* and *Danvers*, Reported A Bill Intituled *An Act to enable the Town of Salem to raise Money for hiring Men for his Majesty's Service.*

Which was read a first Time, and *Ordered*, That the Bill have a second Reading, at three o'Clock Afternoon.

Petition of
Grace Gregory

A Petition of *Grace Gregory*, Administratrix of the Estate of *Isaac Gregory*, late of *Weston* in the County of *Middlesex*, deceased, setting forth, that the Personal Estate of the said Deceased is not sufficient to discharge his just Debts, that the eldest Son refuses to have the Real Estate settled on him, and to be obliged to pay off said Debts, and the several Shares of the other Heirs, and that selling off Part of said Real Estate will (as is apprehended) spoil the same for a Living; therefore praying Liberty to make Sale of the Whole, the Overplus, after paying the said Debts, to be improved at Interest for the Benefit of her self, and the Heirs to said Estate.

Message to
the Board.

Read and *Ordered*, That Col. *Jones*, Col. *Lawrence*, and Mr. *Frye*, be a Committee to consider this Petition, and Report thereon.

On a Motion made and seconded, *Ordered*, That Col. *Clap* go up with a Message to the honourable Board, to desire the Committee appointed to consider what may be proper to be done with the French Neutrals (so called) now in the Province, may be directed to sit, and Report as soon as may be.

Who returned, that he had delivered the Message.

Order on
Petition of
*Meriam Ash-
ley.*

The House re-assumed the Consideration of the Report of the Committee on the Petition of *Meriam Ashley*; Which was thereupon read again, and accepted; and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be, and hereby is, impowered (with the Advice and Consent of *Josiah Dwight*, Esq; of *Springfield*) to make Sale of the Lands mentioned, and to make and execute a good Deed or Deeds of the same, she conforming in the Sale thereof to the Directions of the Laws of this Province, respecting the Sale of Lands by Executors and Administrators; and also first giving Bond, with sufficient Sureties, to the Judge of Probate of Will &c. in the County of *Hampshire*, to improve

improve so much as is necessary of the Proceeds of the Sale thereof, to the Payment of the Debts of said Testator, and to account with the Guardians of the Heirs of the said Testator, for their proportionable Shares of the Residue thereof allowing to the Petitioner the Improvement of one Third of the Proceeds of said Sale after Payment of said Debts, during her Life.

Sent up for Concurrence.

William Richardson, Esq; Reported, That according to the Direction of the House, he had made Enquiry with Regard to the Tract of Land mentioned in the Petition of *Timothy Mossman*, and find that it belongs to the Province: After a Debate thereon, Report on Province Lands.

Ordered, That the Consideration of the Disposal of said Lands be referred, and that the Plan thereof lie on the Table.

The Committee appointed on the Petition of *Amos Gates*, Reported thereon, verbally: Which Report was accepted; and Report on Petition of Amos Gates.

Ordered, That the said Petition lie on the Table, in order to ascertain the Facts therein set forth, accordingly.

A Petition of *Samuel Pitcher* of *Attleborough*, in the County of *Bristol*, shewing that he is conveniently situated and well accommodated to supply those who have Occasion therefor, with spirituous Liquors by Retail; and praying that the Court of Sessions for said County may be impowered to Licence him accordingly, at the next Term, to be held for said County at *Taunton* in *March* next, he having obtained the Approbation of the Select-Men of said Town. Petition of Sam. Pitcher.

Read and *Ordered*, That the Prayer of this Petition be granted; and that the Justices of said Court of General Sessions of the Peace, be and hereby are impowered to Licence the Petitioner as a Retailer of spirituous Liquor in said Town, if they see fit, at their next Term, he producing the Approbation of the Select-Men of said Town, for that Purpose. Sent up for Concurrence. Order thereon.

On a Motion made and seconded, *Ordered*, That *Col. Cotton*, *Col. Lawrence*, and *Mr. Stone*, be a Committee to prepare and bring in an Impost Bill. Committee for Impost Bill.

The Committee appointed on the Petition of *John Barnard*, Reported thereon, according to Order. Report on Petition of John Barnard.

Read, and not accepted, and *Ordered*, That the Consideration of the same be referred.

A Petition of *Amasa Delano*, shewing that he enlisted into the Service on the late Expedition against *Crown-Point*, and received Orders from General *Winslow* to collect and send forward the Forces who had not joined the Army, which Service he performed to the best of his Ability; and praying such an Allowance for his Expences in travelling, Horse-hire, and Billetting sundry of the Men, as shall be judged reasonable. Petition of Amasa Delano.

Read, and *Ordered*, That *Col. Bradford*, *Mr. Witt*, and *Mr. Brewster*, be a Committee to consider this Petition, and Report thereon.

Post Meridiem.

Report on
Petitions of
sick and
wounded
Soldiers.

The Committee appointed on Petitions from sick and wounded Soldiers, Reported on sundry of said Petitions ; which were read and the Reports accepted, and thereupon

Ordered, That there be allowed and paid out of the public Treasury to Capt. *Ithamar Hubbell*, for the Use of *Jacob Brown*, 16s. to Mr. *William Stickney*, for the Use of *Obed Abbot*, 34s. and for the Use of *John Sterns* 26s. to *Timothy Brigham*, Esq; for the Use of *Jonathan Johnson*, 12s. to Mr. *Ephraim Sherman*, for the Use of *Hezekiah Ward*, 40s. and to *John Chadwick*, 51s. 2d. in full Consideration of the Expences &c. on the Expedition against *Crown-Point* in 1755, in the said Petitions and Accounts respectively mentioned.

Sent up for Concurrence.

[Majesty's] Bill read and
Order
thereon.

A Bill Intituled *An Act to impower the Town of Salem to raise Money for hiring Men for his Majesty's Service.*

Read a second Time. And after a Debate thereon,

Petition of
Benj. Goldth-
wait, Esq;

Ordered, That the Bill be re-committed, and made General, granting the same Liberty to the several Towns and Districts thro' the Province, and that Col. *Williams* be added to the Committee.

A Petition of *Benjamin Goldthwait* of *Boston*, in the County of *Suffolk*, Esq; setting forth, That in *August* last he received a Commission from Governour *SHIRLEY*, to take the Command of 600 Recruits, and to conduct them to the Army at *Lake-George*, which Service he performed, and delivered said Men to General *Winslow* there, That soon after his Arrival he was taken Sick, by Means whereof he was detained there and at *Albany* a considerable Time, and with great Difficulty arrived at *Boston* the 8th of *December* last, during the whole of which Time he supported himself and Servant, without any Expence to the Province ; and praying that he may have the same Allowance made him for his Table as was allowed to other Officers of the same Command in the late Expedition, in Proportion to the Time he was in the Service.

Read and *Ordered*, That the Petition be dismiss'd.

Report on
Bankrupt
Bill.

The Committee appointed to examine and make Amendments on the printed Bankrupt-Bill, Reported a Bill Intituled *An Act providing Remedy for Bankrupts and their Creditors* : Which the Chair-man read at his Place, and delivered in at the Table.

Read a first Time, and *Ordered*, That the Consideration thereof be referred.

The Committee appointed to make the Amendments propos'd on the Bill impowering the Town of *Salem* to raise Money for hiring Men &c. Reported thereon.

The said Bill Intituled *An Act to impower the several Towns of this Province to raise Money for hiring Men for his Majesty's Service*, was read a third Time ; and pass'd to be Engross'd.

Sent up for Concurrence.

John Chandler, Esq; came down with a Message from the honourable Board, to acquaint the House with some Difficulties in the Minds of the honourable Board, with Regard to the Wages of the Officers of the Companies in the late Expedition against *Crown-Point*, and to desire the House to consider the said Affair, and pass such Order thereon, as they shall judge proper.

Message
from the
Board.

The House took the same under Consideration, and after a Debate had thereon, the further Consideration thereof was referred.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Jobis 17. Die Februarii, A. D. 1757.

A Petition of *William Williams*, Administrator *de bonis Non* of the Estate of *John Williams*, Jun, late of *Groton*, in the County of *Middlesex*, shewing that the Debts of the said Deceased, exceeding his Personal Estate, the Superiour Court in *Jan.* 1756, gave Leave to sell Part of his Real Estate in order to discharge the same, but it since appearing that so great a Part must be sold as that the Residue will not be sufficient for a Living when all the Debts are paid; therefore praying that he may have Liberty to sell the whole, he giving Bond to the Judge of Probate for applying the Produce thereof for said Purpose, and for the Support of the Mother of the said Deceased, and to Account for the Residue.

Petition of
Wm Williams

Read and committed to *Mr. Gibbs* of *Newton*, *Mr. John Temple*, and *Capt. Thomas*, to consider and Report thereon.

John Chandler, Esq; brought down the Bill Intituled *An Act for the more speedy Levying of Soldiers for his Majesty's Service*. Pass'd in Council, viz. In Council *Febr.* 15th 1757. Read a first Time. 16th Read a second Time and pass'd a Concurrence to be Engrafs'd with the Amendments at A & B.

Bill read &c.

Sent down for Concurrence.

Read and concur'd with the further Amendments.

Sent up for Concurrence.

The Committee appointed on the Memorial of *Mr. Timothy Walker*, Reported thereon, according to Order.

Report on
Petition of
Mr. Timothy Walker.

Read, and not accepted, and Ordered, That the Petition lie for further Consideration.

Mr. Secretary Oliver came down with a Message from the honourable Board, to desire the Committee appointed to confer with Governour *LAWRENCE*, may be directed to attend that Service as soon as may be, as his Excellency is soon expected to leave the Province.

Message
from the
Board.

Thereupon,

Ordered, That the Members of said Committee on the Part of the House be directed to attend accordingly.

Mr. Secretary Oliver brought down the Bill Intituled *An Act in Addition to an Act made & passed in the fifth Year of their late Majesties William and Mary Intituled An Act for High Ways*.

Bill bro't
down and
read.

Pass'd

Pass'd in Council, *viz.* In Council *Febr.* 14th 1757. Read and concur'd with the further Amendments at E, F, G & H.

Sent down for Concurrence. Read and concur'd.

Vote relating to Soldiers.

Benjamin Lincoln, Esq; brought down the Vote of the House, for Encouragement to Persons who shall enlist into the Service under the Command of his Excellency the Earl of *Loudoun*. Pass'd in Council, *viz.* In Council *Febr.* 17th 1757. Read and concur'd, as taken into a new Draught.

Sent down for Concurrence.

Read and unanimously non-concur'd ; and the House insist on their own Vote, with the further Amendment at D.

Sent up for Concurrence.

The Committee appointed to prepare an Establishment for Manning the Vessels now building to Guard the Coast, Reported thereon.

Read and accepted, and

Establishment of the Wages of Officers and Sailors for manning of Vessels.

Voted, That there be the following Establishment of Wages made, for the Officers and Sea-Men, to be employed in the Service of the Province on Board the Vessels now building to Guard the Coast ; *Viz.*

	£.	s.	d.	
For a Captain, ——— ———	8	0	0	Per Month
For a Lieutenant, ——— —	5	0	0	Ditto
For a Master, ——— ———	4	0	0	Ditto
For a Pilot, ——— ———	4	0	0	Ditto
For a Doctor, ——— ———	3	10	0	Ditto
For a Chaplain, ——— ———	3	10	0	Ditto
For a Mate, ——— ———	3	0	0	Ditto
For a Carpenter, ——— ———	3	0	0	Ditto
For a Gunner, ——— ———	3	0	0	Ditto
For a Boatswain, ——— ———	3	0	0	Ditto
For a Cooper, ——— ———	2	10	0	Ditto
For an Armourer, ——— ———	2	10	0	Ditto
For a Coxswain, ——— ———	2	10	0	Ditto
For a Boatswain's Mate, ——— ———	2	5	0	Ditto
For a Steward, ——— ———	2	5	0	Ditto
For a Cook, ——— ———	2	5	0	Ditto
For a Quarter Master, ——— ———	2	5	0	Ditto
For each Seaman, ——— ———	2	0	0	Ditto

Sent up for Concurrence.

Vote on Captains Wages.

Voted, That the several Captains in the Service on the Expedition against *Crown-Point* the last Year, shall be intitled to *Five Pounds eight Shillings* per Month Wages, and allowed to make up their Rolls accordingly, any Vote to the contrary notwithstanding.

Sent up for Concurrence.

Bill Reported & read.

The Committee appointed to prepare a Bill for better Regulating the Affize of Casks for packing of Fish, &c. Reported

A Bill Intituled *An Act in further Addition to an Act Intituled An Act for Regulating the Affize of Cask, and preventing Deceit in Packing Fish &c. for Sale, made in the fourth Year of King William and Queen Mary* : Which the Chair-man read at his Place, and then delivered in at the Table.

The

The said Bill was read a first Time, and *Ordered*, That it have a second Reading to Morrow Morning ten o'Clock.

The Committee appointed to prepare a Vote, relative to *John Gowell's* Petition, Reported thereon. Report on
Petition of
John Gowell.

Read, and the Consideration thereof refer'd.

A Petition of *Thomas Pearson* of *Almsbury*, in the County of *Essex*, shewing that he lives at a Place conveniently situated for the Entertainment of Travellers as they pass the Ferry in said Town ; and as there is no House of public Entertainment there, therefore praying he may be Licenced for that Purpose. Petition of
Tho. Pearson.

Read and *Ordered*, That the Prayer of this Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for said County, be, and hereby are impowered at their next Term to grant the Petitioner a Licence (if they see Cause) to keep an House of public Entertainment in said Town, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Post Meridiem.

The Committee appointed on the Memorial of *Benjamin Pickman*, Esq; in Behalf of the Overseers of the Poor of the Town of *Salem*, Reported thereon, according to Order. Report on
Petition of
Benj. Pickman, Esq;

Read and accepted, and *Ordered*, That the Overseers of the Poor of said Town, be and hereby are allowed and impowered, at the Charge of the Province to remove the late Inhabitants of *Nova-Scotia*, who have been placed there by Order of this Court, or of his Majesty's Council, from said Town, to the Towns, and in the Proportions following, *viz.* Seven to *Hopkinton*, five to *Southborough*, and eight to *Tewkesbury* ; and the Select-Men of said Towns be, and hereby are directed to Support the said Inhabitants of *Nova-Scotia* in Manner as is directed by the Laws in that Case made and provided ; and that twelve of said Inhabitants be removed to the Town of *Sturbridge*, to be under the Care and Direction of *Moses Marcy*, Esq; who is hereby directed to provide for and Support them accordingly, at as small Expence to the Public as may be. Sent up for Concurrence.

The House took under Consideration the Vote as prepared by the Committee on the Petition of *John Gowell*.

Read again, and accepted : And

Whereas, in Consequence of an Application made to his Majesty's Council, upon the Arrival of the Remains of Major General Shirley's and Major General Pepperrel's Regiments in the Town of Boston, the Barracks at Castle-William were ordered to be provided with as many Beds as were necessary for the Forces, and Wood & Candles were also provided until the General Court should take further Order therein, or until the Earl of Loudoun's Arrival in the Province. And Vote relating to Wood
and Candles
for the Bar-
racks at
Castle William

Whereas the present Circumstances of the Colonies render it necessary that Part of his Majesty's Regular Forces should be employed for their

X x x x

Protection ;

Protection ; and this Court have already ordered Beds and Blankets to be provided for the Use of said Barracks, so long as it shall be necessary that any of the said Forces should be continued there ; and being willing to give still further Evidence of their Zeal for his Majesty's Service, and the Protection of his Colonies : It is hereby further

Ordered, That Wood and Candles be allowed at the Charge of this Government for the Use of the Forces that are or may be placed in said Barracks, until the Season of the Year when they shall encamp ; and that the Allowance of Wood from the Government be one Half Cord per Week for each Fire, the Number of Fires to be proportioned to the Number of Men which each Room in said Barracks is capable of containing :—And as the Number may encrease from Time to Time, additional Allowance to be made accordingly, until the several Rooms in the Barracks now built there be filled, and no further.

Sent up for Concurrence.

Bill bro't
down and
read.

James Minot, Esq; brought down the Bill Intituled *An Act for the more speedy Levying of Soldiers for his Majesty's Service*. Pals'd in Council, viz. In Council Febr. 17th 1757. Read and concur'd with the Amendment. Sent down for Concurrence.

Read and concur'd.

Report on
a Bill.

The Committee to whom was re-committed the Bill Intituled *An Act for further Regulating the Proceedings of the Courts of Probate within this Province* ; Reported the Amendment thereon.

Read and accepted, with the further Amendment — *That the Act be in Force for three Years from the last of March next, and no longer*— Thereupon the said Bill was read a second Time.

On a Motion made and seconded, *Resolved*, That the House take under Consideration the making a Grant to his Honour the Lieut. Governour, to Morrow at Eleven o'Clock.

Allowances
to Civil Offi-
cers.

The House, according to Order, proceeded to the Consideration of Allowances for the Civil Officers of the Government :

And thereupon,

Superiour
Judges.

Ordered, That the Sum of *Seven Hundred and fifty Pounds* be granted and paid out of the public Treasury, to the Honourable Justices of the Superiour Court of Judicature, Court of Assize and General Goal Delivery, for their Services for one Year, ending the first of *January* last. Sent up for Concurrence.

Chief Justice

Ordered, That the Sum of *Forty Pounds* be granted and paid out of the public Treasury to the honourable *Stephen Sewall*, Esq; in Consideration of his faithful Discharge of the important Trust reposed in him as Chief Justice, and for his further Encouragement therein. Sent up for Concurrence.

Hollisian-
Professors.

Ordered, That the Sum of *Two Hundred and fifty Pounds* be granted and allowed to be paid out of the public Treasury, to the Reverend Mr. *Edward Holyoke*, President of *Harvard-College*, over and above the Rents of *Massachusetts-Hall*, for one Year, ending the tenth Day of *September* next, to be paid Quarterly.

Sent up for Concurrence.

Ordered,

Ordered, That there be granted and allowed to be paid out of the public Treasury to the Reverend Dr. *Edward Wigglesworth*, Hollisian-Professor of Divinity at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity, in Consideration of his faithful Discharge of the great and important Trust reposed in him, and for his further Encouragement therein.

Sent up for Concurrence.

Ordered, That there be granted and allowed to be paid out of the public Treasury to *John Winthrop*, Esq; Hollisian-Professor of the Mathematicks and Natural Philosophy at *Harvard-College* in *Cambridge*, the Sum of *Ninety Pounds*, as a Gratuity, in Consideration of his faithful Discharge of that Trust reposed in him, and for his further Encouragement therein.

Sent up for Concurrence.

Ordered, That there be granted and allowed to be paid out of the public Treasury to Mr. *Judah Monis*, Hebrew-Instructor at *Harvard-College* in *Cambridge*, the Sum of *Eighteen Pounds*, as a Gratuity, in Consideration of his faithful Discharge of that Trust reposed in him, and for his further Encouragement therein.

Sent up for Concurrence.

Ordered, That the Sum of *Fifty Pounds* be granted, and allowed to be paid out of the public Treasury, into the Hands of the Executors of the last Will and Testament of the honourable *Josiah Willard*, Esq; deceased, late Secretary of this Province, in full for his Service to the Time of his Decease, to be disposed of as his personal Estate, agreeable to his last Will.

Sent up for Concurrence.

Ordered, That the Sum of *Ninety two Pounds* be granted, and allowed to be paid out of the public Treasury into the Hands of the Executors of the last Will and Testament of the honourable *Josiah Willard*, Esq; deceased, late Secretary of this Province, in Consideration of his extraordinary Services to the Time of his Decease, to be disposed of as his personal Estate, agreeable to his last Will.

Sent up for Concurrence.

Ordered, That the Sum of *Two Hundred and sixty seven Pounds* be granted, and allowed to be paid out of the public Treasury, to *Harrison Gray*, Esq; Treasurer and Receiver General of his Majesty's Revenues of this Province, for a Year's Service, ending the twenty-third of *December* last.

Sent up for Concurrence.

Ordered, That there be granted, and allowed to be paid out of the public Treasury, the Sum of *One Hundred and fifty Pounds*, to the honourable *John Wheelwright*, Esq; Commissary-General, for his Service in that Office, for one Year.

Sent up for Concurrence.

Ordered, That there be granted, and allowed to be paid out of the public Treasury, the Sum of *four Shillings* per Diem, to the honourable *Thomas Hubbard*, Esq; Speaker of the House, for every Day of his Attendance in the General Court, from the Opening of the Session, on the 26th Day of *May* 1756, over and above his Pay as a Member of this House.

Sent up for Concurrence.

Ordered,

Clerk. *Ordered*, That there be granted, and allowed to be paid out of the public Treasury, the Sum of *Seventy five Pounds*, to *Henry Gibbs*, Esq; Clerk of the House of Representatives, for his Service during the several Sessions of the General Court the Current Year.

Sent up for Concurrence.

Chaplain to the Board. *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *Six Pounds*, to the Reverend Mr. *Jeremy Condy*, Chaplain to the honourable Board, the Current Year.

Sent up for Concurrence.

Chaplain to the House. *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *Six Pounds*, to the Reverend Mr. *Ebenezer Pemberton*, Chaplain to the House of Representatives, the Current Year.

Sent up for Concurrence.

Chaplain to Castle William. *Ordered*, That there be granted and allowed to be paid out of the public Treasury, to Mr. *John Phillips*, Chaplain of his Majesty's Castle *William*, the Sum of *Forty Pounds*, as a Gratuity for his Service in that Trust, for one Year. Sent up for Concurrence.

Lieut. Larrabee. *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *Fifty Pounds*, to *John Larrabee*, Lieutenant of his Majesty's Garrison at Castle *William*, in Consideration of his faithful Discharge of that Trust reposed in him.

Sent up for Concurrence.

Memorial of Wm. Baker. A Memorial of *William Baker*, Doorkeeper and Messenger of this Court, setting forth the extraordinary Care and Trouble that has been brought on him by the long Sessions of the Court, and frequent Meetings of his Majesty's Council, attending on the Committee of War, and other Committees of the Court, and providing Expresses from Time to Time in Cases of Emergency, wherein his own and his Servant's Time has been so entirely taken up, that he has not been able to attend to any other Business for the Support of his Family, and praying the further Consideration of this Court, and an Additional Allowance for his said Services.

His Grant. Read and *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *Sixty Pounds* to Mr. *William Baker*, Doorkeeper to his Honour the Lieut. Governour, and this Court, for his Service for one Year, to be paid Quarterly; and also the further Sum of *Forty Pounds*, in Consideration of his Expence in hiring Assistance, and extraordinary Care and Trouble as Doorkeeper.

Sent up for Concurrence.

Vote of Council relating to Fire Arms &c. bro't down. *Richard Cutt*, Esq; brought down the following Vote of Council, viz. In Council Febr. 17th 1757.

It being of great Importance, that an exact and seasonable Knowledge be had of the State and Circumstances of the Fire Arms, that were purchased and imported by this Government, as well as of the King's Arms that were delivered for the Service of the Forces last Year :

Therefore,

Voted, That his Honour the Lieutenant Governour be desired to employ some suitable Person to Repair to *Albany*, and to take an Account of all the Arms, and Stores belonging to this Province, that have been lodged there, or at any of the Places adjacent, or that

that have been lodged with any of the Officers of his Majesty's Forces, by any of the Soldiers in the Pay of this Government, and to make Application to such Officers, that such Arms and Stores may be delivered for the Use of this Government.

[Officers]

And the Person so employed, is hereby impowered, to seize and take into his Possession all Arms which have the Tower Mark, and all Arms that have been imported by the Government, in any Part of the Province where they may be found, such only excepted as shall have been lodged with any Persons by Order of Court, in order to their being sent to the Commissary-General: And the said Person is hereby directed to keep an Account of all the Arms aforesaid, and cause the same to be laid before the Lieut. Governor, as soon as may be.

Provided always, That such Sums shall be paid out of the public Treasury to any Person who may have purchased any of the aforesaid Arms, as shall be equitable.

Sent down for Concurrence.

Read and concur'd with the Amendments at A & B.

Sent up for Concurrence.

A Memorial of *John Brock*, second Gunner at his Majesty's Castle *William*, setting forth, that after his faithful Services as Gunner at said Castle for many Years past, he apprehending it necessary there should be more than one, was desirous of having another appointed, and he being far advanced in Years consented to be the second, trusting it would not Occasion any Loss to him in his Pay, but unhappily experiences the contrary, finding his Wages lessened in the Muster-Rolls; therefore praying they may be augmented as heretofore, or that he may be otherwise relieved.

Memorial of
John Brock.

Read and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner *John Brock*, the Sum of *Ten Pounds*, in Consideration of his long and faithful Services to this Government:

And

Voted, That the Commanding Officer at his Majesty's Castle *William*, in making up the Muster-Rolls of the Garrison there, be allowed & directed to carry out the Wages of *John Brock* second Gunner, at the Rate of £.33 6s. 8d. per Year.

Vote there-
on.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Veneris 18. Die Februarii, A. D. 1757.

G *George Leonard*, Esq; brought down the Vote of the House for delivering the Bounty Money for enlisting Men into his Majesty's Service to the Commanding Officers of the several Regiments. Pass'd in Council, viz. In Council *Febr. 18th 1757*.
Read and concur'd with the Amendment at A.

Vote relat-
ing to Boun-
ty Money
bro't down.

Sent down for Concurrence. Read and concur'd.

Y y y y

John

Bill bro't
down and
read.

John Otis, Esq; brought down a Bill Intituled *An Act for the better Regulation of Carts and other like Carriages.* Pass'd in Council, viz In Council Febr. 11th. 1757. Read a first Time. 17th Read a second Time, and pass'd to be Engross'd.

Sent down for Concurrence.

Read a first Time ; and the Question being put,
Whether it be the Mind of the House to assign a Time for a second Reading of the Bill ? It pass'd in the Negative.

Bill enacted.

An Engross'd Bill Intituled *An Act for the more speedy Levying Eighteen Hundred Men, inclusive of Officers, to be employed in his Majesty's Service.*

Read and Resolved, That the Bill pass to be Enacted.

Petition of
John Mascarene, Esq;

A Petition of *John Mascarene of Cold-Spring, in the County of Hampshire, Esq;* setting forth, that being employed by the Inhabitants of said Township to obtain some Assistance from the Non-Resident Proprietors, to enable them to defrey their Ministerial and other Charges, the said Proprietors (upon Application by him made) have consented to pay a Tax of *One half Penny* per Acre on their said Lands for two Years, to be applied to the Settling and Supporting a Minister among them ; therefore praying that the said Tax may be laid on their Lands accordingly.

Order on
the same.

Read and Ordered, That the Prayer of this Petition be granted ; and that there be, and hereby is granted a Tax of *One Half Penny* per Acre, to be laid on all the Lands of the Non-Resident Proprietors of said Township, for and during the Term of two Years, and no longer ; the Money arising thereby to be applied to the defreying the Charges already arisen, or that may arise, by Means of the Inhabitants of said Township's settling & maintaining a Gospel Minister among them. Sent up for Concurrence.

Report on
Petition of
Wm Williams

The Committee appointed on the Petition of *William Williams of Groton*, Reported thereon.

Read, and accepted, and Ordered, That the Prayer of the Petition be granted ; and that the Petitioner (in his said Capacity) be, and is hereby fully authorized and impowered to make Sale of said Deceased's Real Estate, situate in the District of *Shirley*, and to execute a good Deed or Deeds in the Law of the same, he first giving public Notice of the Time and Place of such Sale as the Law directs, and to Account with the Judge of Probate for said County for his Proceedings therein, and to give sufficient Caution to him accordingly. Sent up for Concurrence.

The Committee appointed on the Memorial of *Elijah Williams, Esq;* Reported thereon.

Report on
Petition of
Elijah Williams, Esq;

Read and not accepted, and thereupon,
Ordered, That the Commissary for *Fort-Massachusetts* be, and hereby is directed, to take Care of the Provisions at *West-Hoosuck*, as mentioned, and see that they be transported back to *Fort-Massachusetts*. Sent up for Concurrence.

Impost Bill.

The Committee appointed to prepare and bring in an Impost-Bill, Reported a Bill Intituled *An Act for granting unto his Majesty several Rates and Duties of Impost, and Tunnage of Shipping ;* Which

was

was read a first Time ; and Re-committed for the Amendments proposed : And *Ordered*, That Mr. *Flucker* be added to the Committee.

The House, according to Order, took under Consideration a Grant to his Honour the Lieut. Governour ; and

Grant to his Honour.

Voted, That there be allowed and paid out of the public Treasury to the honourable SPENCER PHIPS, Esq; Lieut. Governour and Commander in Chief of the Province, the Sum of *Three Hundred Pounds*, in Consideration of his past Services, and further to enable him to carry on the Affairs of the Government.

Sent up for Concurrence by Mr. *Welles*, Col. *Worthington*, Col. *Otis*, Capt. *Stevens*, and Col. *Lawrence*.

A Memorial of *Hannah Willard* and others, Executors of the last Will and Testament of the honourable *Josiah Willard*, late Secretary of the Province, deceased, setting forth his unwearied Diligence and exemplary Fidelity, during the Time of his being in said Office, to the universal Satisfaction of the Province ; but that the Grants which were made him from Time to Time were not sufficient (with the Fees of his Office) to Support his Family, especially in the Time of the great Depreciation of the Paper Currency ; and praying that his long & faithful Services to the Province may be taken under Consideration, and such further Allowance made for the Support of his Family, as shall be judged reasonable.

Memorial of *Hannah Willard*, &c.

Read and *Ordered*, That this Memorial be committed to Mr. *Flucker*, Mr. *Welles*, and Mr. *Prentice*, to consider, and Report what they judge proper for this Court to do thereon.

A Bill Intituled *An Act for Regulating the Assize of Casks, and preventing Deceit in packing Fish &c. for Sale, made in the fourth Year of King William and Queen Mary*. Read a second Time.

Bill read.

Post Meridiem.

A Petition of *Joseph Carder* of *Marblehead*, in the County of *Essex*, shewing that he was confined by Sickness at the Time of their Select-Men's returning the List of those they Recommended for Retailers &c. to the Court of Sessions in 1755, and thereby deprived of the Benefit of obtaining a Licence to Retail spirituous Liquors, which, by Reason of his being largely concerned in carrying on the Fishery, is of great Damage to him ; and praying, as he has since obtained the Select-Men's Recommendation, the Court of Sessions for said County may be impowered to Licence him for that Purpose.

Petition of *Josf. Calder*.

Read and *Ordered*, That the Prayer of this Petition be granted ; and that the Justices of the Court of General Sessions of the Peace for said County be, and hereby are, impowered to grant the Petitioner a Licence, if they see fit, at their next Term, to Retail spirituous Liquors in the Town of *Marblehead*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Order thereon.

Sent up for Concurrence.

It being represented to the House, That Ebenezer Gilbert and others, who were lately set off from the first 'Precinct in Brookfield, and annexed to the Parish of Ware-River, by Order of the General Court, apprehending that by the Words of said Order, they were freed from paying the Arrearages of their Province Taxes in said Town, refuse to pay the same, contrary to the true Intent and Meaning of the Court :

Thereupon,

Ordered, That Col. Murray, Mr. Johnson, and Mr. Marsh, be a Committee to examine said Order of Court, and Report what they judge proper for this Court to do thereon.

Committee
for List.

The Committee formerly appointed to make up the List of the Travel and Attendance of the Members of the House, Reported, they had prepared a List, for the short Sessions in November last : Which was Read, Examined, and Approved ; and Ordered, That the Clerk of the House certify the same accordingly.

Petition of
James Carr.

A Petition of James Carr, setting forth, that he engaged in the Service against Crown-Point the last Year, and when Col. Goldthwait was directed to March with the Recruits to join the Army at Lake-George, he was ordered to tarry to collect and take Care of some of the Soldiers, to be afterwards joined to the Rest of the Army, which Service he performed, till sometime in November last, he was ordered by his Honour the Lieut. Governour, to discharge them ; that in said Service he was at great Expence and Trouble without receiving any Thing from the Government ; and as he apprehends the Pay he is intitled to being only that of an Ensign, cannot be looked upon as an Equivalent for the same ; therefore praying such Allowance as shall be tho't reasonable.

Read and Ordered, That Mr. Hills, Mr. Merrill, and Col. Lawrence, be a Committee to consider this Petition, and Report thereon.

A Petition of Benjamin Hastings and others, in Behalf of the Inhabitants of Greenfield, setting forth their distressed Circumstances by living on the Frontiers of the Province, and exposed to the Barbarities of the Indian Enemy, and their Inability to defend themselves any longer without Assistance, and praying that they may be freed from their Province Taxes, have some Assistance afforded them in fortifying themselves, and a suitable Number of Soldiers posted there for their Defence, and that the said Inhabitants may be Alternately in Pay of the Government.

Read, and Ordered, That this Petition be committed to Mr. Bradbury, Col. Worthington, and Mr. Barnard, to consider and Report what they judge proper for this Court to do thereon.

Report on
Petition of
Grace Gregory

The Committee appointed on the Petition of Grace Gregory, Reported thereon.

Read, and accepted, and Ordered, That the Prayer of the Petition be granted ; and that the Petitioner in her said Capacity be, and hereby is, fully authorized and impowered to make Sale of the Deceased's Real Estate for the most it will fetch, and to make and execute a good & valid Deed or Deeds thereof in the Law, to such Person or Persons as shall be willing to purchase the same, she observing the Directions of the Law respecting the Sale of Real Estates

Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate &c. for said County, to apply the Produce thereof, in the first Place to the Payment of the Deceased's just Debts ; the to have the Improvement of one Third of the Remainder of the Produce of said Sale during her natural Life, and afterwards to revert to the Heirs at Law, and the other two Thirds to be for the Benefit of the Heirs.

Mr. Secretary *Oliver* came down with the following Message from his Honour the Lieut. Governour ; which he read and laid on the Table, and then withdrew, *viz.*

Gentlemen of the Council, and House of Representatives;
THE Secretary having laid before me your Vote of this Day for
 "an Allowance of Three Hundred Pounds in Consideration of my
 "past Services, and further to enable me to carry on the Affairs of the
 "Government :"—As this Grant (I think) is not an adequate Allow-
 "ance for the Time I have already been in the Chair, and the extraordi-
 "nary Attendance I have been obliged to give to the Affairs of Govern-
 "ment at this Juncture ; I therefore desire you would Reconsider it, and
 make a suitable Augmentation thereto.

Message
from his
Honour.

Council Chamber

S. P H I P S.

Febr. 18. 1757.

His Honour's Message foregoing was read again ; and
Ordered, That the same be taken under Consideration at five
 o'Clock this Afternoon.

The Committee appointed to consider of some suitable Method
 of supplying the Treasury with Money, for the Bounty proposed
 to be given for Encouragement of Persons to enlist into his
 Majesty's Service, Reported verbally, that they were of Opinion
 the Treasurer should be impowered to borrow a Sum of Money
 for that Purpose : Which Report was accepted, and the said
 Committee directed to prepare and bring in a Bill accordingly.

Report of a
Committee.

Mr. Speaker communicated a Letter to a Gentleman of the ho-
 nourable House of Representatives, from one in the Country, re-
 lative to the State of the Frontiers ; Which was read.

Letter com-
municated.

A Petition of *Charles Goodrich*, of a Place called *Pontoosuck* in
 the County of *Hampshire*, praying the Direction of this Court with
 Regard to the eight Men posted at the Western Fort there, by
 Order of the Government of *Connecticut*, during the Winter Season,
 exclusive of whom there is not the Number in Pay of this Go-
 vernment now there, who were ordered to be dismissed, since
 the present Sitting of the Court.

Petition of
*Charles Good-
rich.*

Read and *Ordered*, That the said Letter and Petition afore-
 going be committed to Col. *Williams*, Mr. *Bradbury*, Col. *Clap*,
 Col. *Lawrence*, and Mr. *Lyman* ; and that the said Committee take
 under Consideration the State of the Eastern and Western Fron-
 tiers of the Province, and Report what they judge expedient to
 be further done for Security and Defence of the same.

An engross'd Bill Intituled *An Act in Addition to an Act made and
 passed in the fifth Year of the Reign of their late Majesty's William
 and Mary, Intituled An Act for High Ways.*

Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

Z z z z

The

Committee
for examin-
ing Laws.

The Committee appointed to examine the Laws for preventing the Destruction of Fish, and particularly that made for the better Regulating the taking of Fish in *Sandwich-River*, Reported verbally ; and thereupon *Ordered*, That Col. *Cotton*, Member for said Town of *Sandwich* have Liberty to bring in a Bill for preventing the unnecessary Destruction of Fish in said River.

Accounts on
Dukes-County
Excise.

John Norton, Esq; by Leave of the House, laid on the Table an Account of the Expences of the several Committees appointed to farm out the Duties of Excise on spirituous Liquors, and on Tea, Coffee and China-Ware, in the County of *Dukes-County*, from the Year 1753 to this Time.

Read, and *Ordered*, That Mr. *Hunt*, Capt. *Newhall*, and Major *Stockbridge*, be a Committee to examine the said Accounts, and Report thereon.

Message to
the Board.

Ordered, That Col. *Cotton* go up with a Message to the honourable Board, to enquire whether they have passed on the Bill empowering the several Towns and Districts to raise Money for hiring Men for his Majesty's Service ?

Who returned, he had delivered the Message, but received no Answer.

Message
from the
Board.

William Brattle, Esq; came down with a Message from the honourable Board, to acquaint the House, that they had passed on said Bill, and non-concur'd the same.

Ordered, That Col. *Lawrence* go up with a Message to the honourable Board, to desire that the said Bill may be sent down.

Who returned, that he had delivered the Message. And *James Minot*, Esq; brought down the same accordingly.

Thereupon *Ordered*, That the said Bill be Re-committed to the Committee appointed to prepare and bring in the same, for the Amendments proposed.

Bill Report-
ed.

Col. *Cotton*, Member for the Town of *Sandwich*, Reported a Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich*.

Read a first and second Time.

Memorials
of *John Winslow*,
Esq;

A Memorial of *John Winslow*, Esq; Major-General and Commander in Chief of the Provincial Forces on the late Expedition against *Crown-Point*, praying that his Services therein may be taken into Consideration, and a suitable Reward therefor granted out of the public Treasury, the Proportion of the several Governments concerned in the Expedition, to be repaid this Province on settling the Accounts of the General Articles of Expence, as neither of said Governments have made any Provision for his Pay as yet. Also

A Memorial of the said *John Winslow* Esq; in Behalf of the General Staff Officers of said Forces, setting forth their Services, and the like Situation they are in with Regard to their Pay, and praying the Consideration of this Court, that they may be allowed what is reasonable, where no Pay has been Established, and where there is an Establishment, that this Government would advance their Pay.

Ready and Ordered, That the foregoing Memorials lie on the Table, and the Consideration of the same be referred till the next Sitting of this Court.

The House took under Consideration his Honour's Message of this Afternoon; which was read again; and after a Debate thereon; The Question was put, Order relating to his Honour's Grant.

Whether it be the Mind of the House to make any Addition to their Grant to his Honour the Lieutenant Governour?

And it pass'd in the Negative.

On a Motion made and seconded, Ordered, That Col. Worthington, be directed to prepare and bring in a Bill for the better Regulation of Ferries, &c.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Sabbati 19. Die Februarii, A. D. 1757.

A Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich.* Bill read.

Read a third Time, and pass'd to be Engros'd.

Sent up for Concurrence,

On a Motion made and seconded, Ordered, That Capt. Stevens, Col. Cotton, and Col. Miller, be a Committee to prepare a Vote enabling Widows or next of Kin to Soldiers who died in the late Expedition against Crown-Point, to receive the Wages due to such Soldiers, without being at the Charge of taking out Letters of Administration on their Estates, and Report, Vote relating to deceased Soldiers Estate.

A Petition of Solomon Wheat, praying a suitable Allowance for his Services in the late Expedition against Crown-Point, as Surgeon and Physician, by Direction from the Commissioners at Albany, and that he may be allowed Clerk's Wages in the Muster-Roll, agreeable to his former Petition, as entered the 2d Current. Petition of Sol. Wheat.

Read and Ordered, That Benjamin Reed, Esq; Mr. Heath, and Col. Miller, be a Committee to take this Petition under Consideration, and Report thereon.

Mr. Secretary Oliver, came down with a Message from his Honour the Lieut. Governour, to both Houses; which he read and laid on the Table. Message from his Honour.

His Honour's said Message is as follows, viz.

Gentlemen of the Council, and House of Representatives.

I Do not find that you have made any Provision for Arming the Eighteen Hundred Men, proposed to be raised for the Service of the Current Year. You cannot but remember, That by a Letter from Mr. Secretary Fox, dated 13th March last his Majesty's Pleasure was signified, for this Government's Arming as well as Raising a Number of Troops, to act in Conjunction with his Majesty's Forces. His Excellency the Earl of Loudoun, in the Proposals he has laid before you for raising Men for the Service of this Year, goes upon the Plan of this Letter, and expressly refers to it: and it appears very evident, that

that his Lordship expects you to supply the Arms, as they are not included in the Articles, which he has engaged to furnish the Troops withal, at the Charge of the Crown.

I must therefore recommend it to you, Gentlemen, to make full Provision for Arming your Troops, that no Disappointment or Hindrance may arise for want of such Provision. And I recommend it to you likewise, to come into such Resolutions, as may be effectual to bring in such Arms, when the Service is over. There has been a very great Failure in this Respect the Year past ; and I cannot but think that if the Arms were estimated at something more than the Value, and the Men made accountable therefor, they would be more careful to return them.

Council Chamber

S. P H I P S.

Febr. 18. 1757.

Committee
relating to
Soldiers
Cloathing.

On a Motion made and seconded, Ordered, That Mr. Flucker, Capt. Newhall, and Col. Marcy, be a Committee to enquire, whether a sufficient Quantity of suitable Uniform Cloathing for the Forces agreed to be raised by the Government for his Majesty's Service under the Command of his Excellency the Earl of Loudoun, can be seasonably procured, and at what Expence, and Report.

Petition of
Capt. Sam.
Nelson.

A Petition of Capt. Samuel Nichols Nelson, of Plymouth, shewing he was in the Service on the late Crown-Point Expedition, and lay sick at the Time of disbanding the Army, and continued so for about a Fortnight, at his own Charge, and afterwards was obliged to hire a Horse and Man to bring him home from Sheffield ; and praying that he may be allowed Wages till the 13th of January last, with a further Allowance for his said Expences in his Sickness, and on his return Home, agreeable to the Account exhibited.

Read, and Ordered, That Mr. Turner, Mr. Lancaster, and Major Stockbridge, be a Committee to take this Petition under Consideration, and Report.

Petition of
Capt. Sam.
Robinson.

A Petition of Samuel Robinson, Captain of a Company in the late Expedition against Crown-Point, shewing that in making up the Muster-Roll of his Company, he has charged sundry Arms to Men who died in the Service, the same being missing at the Time of his Return home, but that he has been since informed, that they were Returned into the Stores at Albany, to Mr. Commissary Emerson ; and praying that an Enquiry may be made Relative thereto, to prevent any unreasonable Hardship on the Widows &c. of the deceased Soldiers.

Read and Ordered, That Col. Buckminster, Capt. Hubbell, and Mr. Marsh, be a Committee to consider this Petition, and make Enquiry into the Facts, and Report thereon.

Commissary
directed to
attend the
House.

His Honour's Message of this Forenoon was read again ; and Ordered, That the Commissary-General be directed to attend the House : Who attended accordingly :

When Mr. Speaker was pleased to enquire, What Number of Arms and Accoutrements belonging to the Crown, or to the Province, had been returned into his Office ? And at Mr. Speaker's Direction, he laid an Account of the same on the Table ; and then withdrew.

The

The said Account was read. And

Ordered, That Col. *Williams*, Col. *Cotton*, and Mr. *Thomas*, with such as the honourable Board shall join, be a Committee to take under Consideration his Honour's Message, dated the 18th Instant, relating to supplying the Forces of the Province, agreed to be raised for his Majesty's Service, with Arms, and Report what they judge proper for this Court to do thereon.

Committee
on his Ho-
nour's Mes-
sage.

Sent up for Concurrence.

The Committee to whom was re-committed the Bill empowering the several Towns and Districts, to raise Money for hiring Men for his Majesty's Service, Reported the Amendments proposed ; and thereupon the said Bill was read a first Time.

Report on a
Bill.

The Committee appointed on the Petition of *Edward Park*, Reported thereon.

Report on
Petition of
Edw. Park.

Read, and accepted, and *Ordered*, That the Petition be dismissed accordingly ; the Petitioner having already received a reasonable Satisfaction for the Damages sustained, from the Proprietors of *Dunstable*.

The Committee appointed to make Enquiry Relative to an Uniform Cloathing for the Forces, agreed to be raised for his Majesty's Service, Reported verbally.

Report of a
Committee
&c.

And after a Debate had thereon, The Question was put,

Whether it be the Mind of the House, that any Provision be made for an Uniform Cloathing of said Soldiers ?

And it pass'd in the Negative.

On a Motion made by the Committee appointed to examine the Accounts of the Commissaries in the late Expedition against *Crown-Point*.

Order relat-
ing to Com-
missaries Ac-
counts.

Ordered, That the Consideration of Directions to said Committee Relative to said Accounts, be had on Monday next three o'Clock Afternoon.

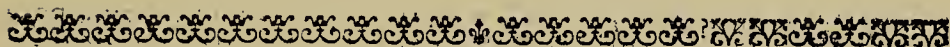
Then the House adjourn'd till Monday next Ten o'Clock in the Forenoon.

A a a a



V O T E S

Of the House of Representatives.



Lunæ 21. Die Februarii, A. D. 1757.

Leazer Porter, Esq; brought down the Petition of *Eben. Nichols*, Esq; with the Report of a Committee of both Houses thereon. Esq; bro't down. -

Signed *Samuel Danforth*, per Order.

Pass'd in Council, viz. In Council *February* 19th 1757. Read, and Ordered, That this Report be accepted.

Sent down for Concurrence. Read and concur'd.

*Sylvanus Baur*n, Esq; brought down the Report of the Committee of both Houses appointed to confer with his Excellency Governour LAWRENCE on the Charge of the French Neutrals, so called, &c. Report of a Committee bro't down.

Signed *Wm. Brattle*, per Order.

Pass'd in Council, viz. In Council *Febr.* 19th 1757. Read and Ordered, That this Report be accepted, and that the above Committee prepare the Accounts referred to accordingly.

Sent down for Concurrence.

Read, and concur'd with the Amendment at A.

Sent up for Concurrence.

John Otis, Esq; brought down the Report of the Committee of both Houses, appointed on his Honour's Message, dated the 18th Instant, relating to furnishing the Forces to be raised by this Province for his Majesty's Service, with Arms. Report of a Committee relating to Fire-Arms, &c.

Signed *Thos. Hutchinson*, per Order.

Together with the Draught of a Message to his Honour the Lieut. Governour, in Answer to his said Message. Pass'd in Council, viz. In Council *Febr.* 21st 1757. Read, and accepted, and Ordered, That *Andrew Oliver*, Esq; with such as the honourable House shall appoint, be a Committee to present the same to his Honour the Lieut. Governour accordingly.

Sent down for Concurrence.

Read, and concur'd, and Col. *Cotton*, and Judge *Russell*, are joined in the Affair.

The said Message to his Honour the Lieut. Governour, is as follows, viz.

May it please your Honour,

Message to
His Honour.

THE Council and House of Representatives are sensible, that it is of very great Importance, that the Forces to be raised for the Service of the ensuing Year, should be provided with good Arms. It has formerly been the Practice of the Government to require the Soldiers to furnish themselves with Arms, as far as they were capable of doing it ; but this Method was found inconvenient, and many Times the Arms proved unfit for Service ; and the last Year, two Thousand of the Arms, which had been sent over by his Majesty's Orders, were delivered for the Service of the Expedition, to that Part of the Army which was raised by this Province ; and the rest of our Men were furnished with such Arms as had been purchased by this Government, principally with a View to make up the Deficiency of Arms at *Castle-William*.

We wish more effectual Provision had been made, at the Beginning of the Expedition to oblige the Soldiers to return their Arms : We have, in the present Session, pass'd such Votes and Orders as appeared to us the most likely to Answer this Purpose, and we doubt not but by far the greatest Part will be returned.

We can conceive no Way of furnishing Arms for the present Service, but by obliging the Men to bring such as they have, or by impressing others from among the Inhabitants, many of which (we have Reason to fear) will upon a Survey, be deemed insufficient ; or else by making Application to his Majesty's General, that the King's Arms, that were made use of last Year, may again be allowed for the Service of the present Year. If there should not be a sufficient Number of them returned for this Purpose, what shall be wanting (which we hope will not be many) may be supplied from the Government's Arms.

We are sensible we have no Right to demand the King's Arms, and that they are at the Disposal of his Majesty's General, but we have no Doubt, that when a Representation is made, that if all the Arms belonging to the Government, and fit for Service, should be delivered to the Soldiers, there will still be a Deficiency ; that *Castle-William* would be left in a Manner destitute ; and that it is not possible to purchase within the Province suitable Arms ; his Lordship will allow the Arms, which were used last Year, to be again delivered : But if after considering these Circumstances, it shall appear to his Lordship to be necessary, that the King's Arms should be used in some other Service, the Forces raised in this Province must bring the best they have : And we think that until his Lordship's Pleasure be known, such Men as enlist should be informed, that it is expected that they furnish themselves with Arms, unless Orders shall hereafter be given to the contrary.

As the Appointment of the Officers of these Forces is with your Honour, such Security may be required from the Commander of each Company, as shall oblige him to return any Arms that may be delivered for the Use of the Men that are under him ; and such Officer may take Receipts from the Men, to be accountable on Penalty of a reasonable Deduction from their Wages, or other Satisfaction, in Case of Failure, as shall be judged necessary.

An engross'd Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich.*

Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

On a Motion made and seconded, *Ordered*, That Col. *Cotton*, Capt. *Richardson*, and Judge *Russell*, be a Committee to examine the Vote passed the Court in 1755, for freeing such as had been impressed in the Service against *Crown-Point*, from their Poll-Taxes, and Report what they judge proper to be done for further Direction to the Province Treasurer thereon, and Report.

Committee on Soldiers Taxes.

Richard Cutt, Esq; brought down the Petition of *John Mascarene*, Esq; Pass'd in Council, viz. In Council *Febr.* 19th 1757. Read and concur'd with the Amendment at *A*.

Petition of *John Mascarene*, Esq; bro't down.

Sent down for Concurrence. Read and concur'd.

The Committee appointed on the Affair of the Inhabitants of *Brookfield*, lately annexed to the Parish of *Ware-River*, Reported thereon.

Read and accepted, and

Whereas Ebenezer Gilbert, and others, of Brookfield in the County of Worcester, were, with their Estates they lived on, by an Order of the General Court which passed the twenty sixth Day of December 1755, set off from the first Precinct in said Town, and annexed to the Parish of Ware-River, with this further Order, That all Sums that had been assessed on them since the dividing of the first Parish in said Town should be abated them; And whereas a Doubt has since arisen whether the said Persons were intended thereby to be freed from their Province, County and Town Taxes, as well as Precinct Taxes:

Resol verelating to *Eben. Gilbert.*

To remove all Doubts, and to prevent Disputes for the future, it is therefore,

Resolved, That the true Intent and Meaning of said Order was, That the said Persons should be freed from their Proportion of the Precinct-Taxes only, for the Time therein mentioned, agreeable to their Petition; and that they and each of them be, and hereby are declared to be held to pay such Sums as were assessed on them, for the said Time, to the Province, County and Town Taxes, and that the Constable or Constables of said Town of *Brookfield*, be and hereby are impowered and directed, to collect such Sum or Sums as were assessed on them, since the dividing of said first Parish in said Town to the Time of their being annexed to the Parish of *Ware-River*, which still remains unpaid; any Thing in said Order to the contrary notwithstanding.

Sent up for Concurrence.

A Bill Intituled *An Act to impower the Inhabitants of the several Towns and Districts of this Province to raise Money for hiring Men for his Majesty's Service.* Read a second and third Time, and pass'd to be Engross'd.

Bills read.

Sent up for Concurrence by Capt. *Stevens*, Mr. *Gibbs* of *Salem*, Col. *Otis*, Capt. *Richardson*, and Mr. *Stone*.

The Committee appointed to prepare a Bill for further Supply of the Treasury, Reported

A Bill Intituled *An Act for the Supply of the Treasury with the Sum of Three Thousand Pounds to encourage Soldiers to enlist into the intended Expedition under the Chief Command of the Right honourable the Earl of Loudoun.*

Read

Read a first, and second Time, and re-committed for the Amendments proposed.

A Bill Intituled *An Act for further Regulating the Proceedings of the Courts of Probate within this Province.*

Read a third Time ; and pass'd to be Engross'd.

Sent up for Concurrence.

Petition of
Tho. Haskell.

A Petition of *Thomas Haskell*, Administrator of the Estate of *Dudley Jordan*, late of *Hardwich*, in the County of *Worcester*, deceased, shewing, that the Real Estate of the said Intestate is incapable of being divided among his several Children without greatly hurting the whole ; that the Rent of said Estate being insufficient to defrey the Charge of educating the said Children, and it being apprehended the Produce thereof, sold and improved for their Benefit, would be more advantageous to them than said Estate can be, under its present Circumstances ; therefore praying Liberty to make Sale thereof.

Petition of
Mehetabel Nye.

Also a Petition of *Mehetabel Nye*, Relict and Administratrix of the Estate of *Cornelius Cannon*, late of *New-Braintree* District in the County of *Worcester*, shewing, that the said Intestate died seized of a Tract of Land in said Town, which is utterly incapable of being divided among the many Heirs of said Deceased ; and praying that she may be impowered to dispose of said Real Estate for the most it will fetch, the Money arising thereby to be distributed, and improved for the Benefit of said Heirs, who are chiefly Minors.

Read and Ordered, That Mr. *Paine*, Mr. *Marsh*, and Capt. *Hutchins*, be a Committee to take the foregoing Petitions under Consideration, and Report respectively thereon.

Resolve relating to
Bounty Money.

On a Motion made and seconded, Resolved, That the House take under Consideration what may be proper to be done with Regard to the Bounty &c. proposed to have been paid and delivered to such as should be draughted out of the Regiments in the Counties of *Hampshire* and *Worcester*, and enter into the Service, for Recruiting the Army under General *Winslow*, at ten o' Clock to Morrow Morning.

Petition of
Rebecca Davis.

A Petition of *Rebecca Davis*, Widow of *Amos Davis*, late of *Grafton* in the County of *Worcester*, deceased, setting forth that her said Husband engaged in the Expedition against *Crown-Point* in 1755, and while in said Service, he was taken sick at *Lake-George*, and obtained a regular Dismission from the Army, and with great Difficulty returned, without any Charge to the Government ; and as she is informed an Allowance has been made to sick & wounded Soldiers on their Return to their several Homes ; therefore praying that what shall be judged reasonable may be allowed her in Consideration of the Premisses.

Read and Ordered, That this Petition be committed to Capt. *Davis*, Col. *Bradford*, and Major *Stockbridge*, to consider, and Report thereon.

On

On a Motion made and seconded, *Ordered*, That Col. *Williams*, Committee for Enquiry. Mr. *Welles*, and Col. *Worthington*, be a Committee to repair to the Commissary-General, to make Enquiry what Number of Small Arms, which formerly belonged to the Province, before the Reception of the Arms the Province purchased and were sent hither by Mr. Agent *Bollan*, are now in his Office, and in what State they are, and Report.

Who returned, That they had attended that Service, and find there are about 300 Small Arms, about one Half of which are capable of being Repaired, and made fit for Service.

Post Meridiem.

The Committee appointed to prepare a Vote, enabling Widows and next of Kin, to receive the Wages of Soldiers who died whilst in the Service on the late *Crown-Point* Expedition, without Administ'ring on the Estates of such deceased Soldiers, Reported the following Draught ; which was read and accepted, *viz.* Vote relating to deceased Soldiers Estate, Reported.

Whereas many private Soldiers of this Province, who went upon the last Crown-Point Expedition, were killed or died in the Service, leaving no Real Estate, and but little more of Personal Estate than their Wages : Therefore,

Resolved, That in every such Case, the Widow of such deceased Soldier, or the next of Kin to said Intestate, shall, and hereby is impowered to, receive such Wages without taking Letters of Administration on such deceased Persons Estate ; and that the Treasurer be, and hereby is, directed to pay them accordingly, they to be alike accountable, and liable to the Actions of the Creditors and Heirs, as if they had taken Letters of Administration.

Sent up for Concurrence.

The House, according to Order, took under Consideration the Affair of the Commissaries Accounts, who were employed in the late Expedition against *Crown-Point* : And on a Motion made and seconded, Resolve relating to Commissaries Accounts.

Ordered, That Commissary *Thomas* be directed to attend the House.

Who attended accordingly ; and by Leave of the House, laid his Account on the Table : And after being examined by Mr. Speaker, and the House, relative to the same, he withdrew.

And after a large Debate had on the Affair,

Resolved, That by Vertue of the Vote passed the General Court the 20th of *April* last, no Commissary employed in the late Expedition against *Crown-Point*, had a Right to make any Profit to himself, by Means of any Contract with the private Soldiers, for their back Allowance. Sent up for Concurrence.

Eleazer Porter, Esq; brought down the further Report of the Committee of both Houses, appointed on the Affair of the New Township of *Pequoag*, in the County of *Worcester*. Report of a Committee relating to Rights in *Pequoag* Township, bro't down.

Signed *John Chandler*, *John Worthington*.
In Council *Febr.* 21st 1757. Read and sent down.

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The said Report is as follows, *viz.*

That since the additional Power given them by the last Order of this Court on that Affair, your Committee pursuing (as they apprehend) the Design thereof, and making the speedy and compleat Settlement of that Place, and the public Utility resulting from such Example, their principal Objects, in disposing of the following forfeited Rights, have proceeded thereon as follows, *viz.*

On the Right originally proposed to be granted to *Richard Wheeler*, The Committee found that the same was long since sold by said *Wheeler* to *John Grout* of *Lunenburg*, who had given *Wheeler* Security to perform the Conditions of Settlement, but had failed so to do: The Committee therefore agreed, that said *John Grout* should have said Right confirmed to him, only on the following Conditions, *viz.* That he should pay all the Taxes thereon that were in Arrear; that he should pay to the Committee, for the Use of the Province, the Sum of *eight Pounds* Money, and that he should give effectual Security for speedy Settlement of the said Right; which the said *Grout* accordingly did: And your Committee therefore humbly Report, that the said Right be confirmed to said *Grout* and his Heirs.

On the Right originally proposed for *Charles Dorothy*, the Committee found, that said *Charles* sold the same to one *Eleazer Sanger*, now deceased, and that no Part of the Conditions of Settlement have been performed thereon; your Committee therefore agreed to sell the same at public Vendue; and accordingly sold the same to one *Ezra Sanger*, a Son of said Deceased, for the Sum of *twelve Pounds*, enjoining him to pay all Arrears of Taxes, and to give Bond for speedy Settlement thereof, which he did accordingly; they therefore propose, that the said Right be confirmed to the said Purchaser and his Heirs.

On the Right originally proposed for *Jonathan Marble*, the Committee have found, that said *Jonathan* sold the said Right to *Samuel Kendall* of *Wobourn*, and that said *Kendall* had sold the House-Lot thereof to one *Ezekiel Wallingford*, whose Widow (as Administratrix on his Estate) had sold the same, by Order of this honourable Court, for Payment of said *Wallingford's* Debts: And finding the Conditions of Settlement wholly unperformed, they agreed that the said Home-Lot should be confirmed to the Vendees of said Widow, and that the Residue of said Right should be confirmed to said *Kendall*, he paying all Arrears of Taxes, and paying *Eight Pounds* for the Use of the Province, and giving Bond for Settlement as aforesaid; which said *Kendall* did; and your Committee Report, that the same be confirmed to him and his Heirs accordingly.

On the Right originally proposed for *John McKenney*, the Committee having found, the Home-Lot thereof given by *McKenney* to said *Samuel Kendall*, and by him sold to *Wallingford*, and then by his Widow sold, as the Home-Lot of the Right aforesaid, are of Opinion the same be confirmed to her Vendees: And your Committee

mittee having found the Residue of said Right, sold to *John Pebbles* of *Blandford*, deceased ; also finding, that said *Kendall*, in Consideration of said Home-Lot, had given his Bond to said *Mc Kenney* to perform Settlement thereon, which was not done, The Committee agreed, that, on said *Kendall's* paying Arrears of Taxes on this Right, and paying *Six Pounds* for the Use of the Province, and giving Security to make a special Settlement on one Lot, in some other of his Rights, in Lieu of this, the Residue of this Right should be confirmed to the Heirs of said *John Pebbles* ; to which said *Kendall* acceded, and gave such Security ; and your Committee Report Confirmation of the same Lands accordingly.

On the Right originally of *Daniel Fiske*, the Committee finding the same long since, sold to *Robert Marble*, and very considerable Improvements to have been made by him thereon, agreed, that the same should be confirmed to said *Robert*, on his paying all Taxes, and giving Bond for a full Settlement thereof, which the said *Robert* then did ; and so your Committee Report a Confirmation thereof to the said *Robert* accordingly.

On the Right originally proposed for *Samuel Tinney*, The Committee finding, that the House-Lot thereof was long since sold absolutely to one *Aaron Smith*, who has made considerable Improvements thereon, and no Improvements made on the other Lands of said Right ; Your Committee agreed, that the said Home-Lot should be confirmed to the said *Aaron Smith*, he paying Taxes, and that the Residue should be sold : And the Committee sold the Residue to *John Murray*, Esq; for the Sum of *Twenty six Pounds sixteen Shillings*, who gave Security for the same Sum, with other Security for settling said Right : And your Committee Report that the said Lands be granted and confirmed to said *Smith*, and *Murray* accordingly.

On the Right originally proposed for *Joseph Smith*, the said *Smith* having sold the House-Lot, and the ten Acre Division, to *Nath. Graves*, who has improved the same, in Regard to his own Advantage, and not as a Performance of the Conditions on which the Right depended, and no Improvement having been made on any other Part of said Right ; the Committee therefore agreed, the said *Graves* should have the said House-Lot, and ten Acre-Lot, confirmed to him ; and the Residue of said Right the Committee agreed to sell at Vendue ; and accordingly sold the same to *John Murray*, Esq; aforesaid, for the Sum of *Twenty one Pounds four Shillings*, and took his Bond for the Payment thereof ; and his other Bond for performing Settlement thereon ; and your Committee Report, that the said Land be granted and confirmed accordingly.

On the Right originally proposed for *John Grout*. The Committee on Enquiry, found, that the said *John* had done nothing towards Settlement thereof, but was designed very speedily to do it ; the Committee agreed, the said *John* should have his said Right confirmed, on his paying all Arrears of Taxes, *Eight Pounds*
to

to the Province, and giving Bond for speedy Settlement ; all which he did ; And the Committee Report, that the said Right be confirmed to him.

On the Right originally proposed for *John Cutting* ; The Committee found the said Right had been conveyed to one *Alex. Stuart*, and afterwards Part thereof sold ; and the Residue thereof taken by Executions, by a Number of the Creditors of said *Alexander* ; and that one of said Creditors Assigns had performed the Settlement on said Right ; the Committee agreed the said Right should be confirmed to the said Execution Creditors, and their Assigns, according to their respective Extents &c. and submit the same accordingly.

On the Right No. 6. on *West-Pequaog* (so called) being originally proposed for *Samuel Kendall* ; The Committee, considering said *Samuel* and his Sons had made very considerable Improvements in said Township, on this and other Rights, much more than sufficient for Settlement of a Right, and much more advantageous to said Place, and for which he had no Credit in these Respects, the Committee agreed said Right should be granted and confirmed to *Seth Kendall* Son of said *Samuel*, he (said *Seth*) giving Security to settle the same, and pay the Taxes thereon ; which said *Seth* hath done ; and the Committee Report a Confirmation thereof accordingly.

On said *Samuel's* other proposed Right, the Committee agreed a Confirmation thereof to him, he paying *Eight Pounds* to the Province, and giving Bond to settle &c. which he did ; and the Committee Report, that the same be confirmed accordingly.

On the Right originally proposed for *Jonathan Page*, The Committee found that the said *Page* sold the House-Lot thereof, for a large Sum, to one *Stratton*, who has since the Expiration of the five Years from Admission, settled the same ; The Committee therefore Report, that the said House-Lot be confirmed to said *Stratton*, and the Residue of said Right to *Joseph Page* and *Page*, Sons of said *Jonathan*, they having secured to the said Committee for the Use of the Province *five Pounds*, for past Defects, and having paid all Taxes set on that Part of the Right.

On the Right originally proposed for *John Longley* ; The Committee find that the said *Longley* sold the House-Lot to *Robert Marble*, who settled the same, not to secure the Right, but to accommodate himself with convenient Dwelling &c. The Committee therefore agreed that said *Marble* should have the House-Lot, and ten Acre Lot confirmed to him, and that the said *Longley's* Sons should have the Residue on Payment of Taxes, *Five Pounds* to the Province &c. which being done by the said *Longley's* Sons, the Committee propose a Confirmation accordingly.

On the Right originally for *George Danforth*, the Committee find, that the supposed Title to the House-Lot, by sundry Conveyances, is transmitted down to one *Jason Babcock*, who after some Improvements on his Lands, bought in said Place, was unhappily Captivated by the Indian Enemy ; and the Committee propose

propose that said House-Lot be confirmed to said *Jason*: And the Committee sold the Residue of said Right to *John Murray, Esq;* for *Twenty two Pounds eight Shillings*, and took his Security for Payment thereof; and also his Bond for Settlement thereof; and therefore propose said Residue be granted to said *Murray*, accordingly.

On *Joseph Rowman's* originally supposed Right, the Committee found the same was sold to said *Samuel Kendall* of *Woburn*, who had neglected to settle the same; they agreed therefore, that said *Kendall* should have Confirmation thereof, on his paying the Taxes, and paying *Eight Pounds* for the Province, and giving Bond to settle, which he did; and so the Committee Report Confirmation thereof accordingly.

The several Securities for the Payment of the several Sums aforesaid, for the Use of the Province, the Committee herewith present to your Honours, and are ready to Account for such Monies as they have received.

The several Bonds, taken as Security, for the effectual & speedy Settlements before mentioned, your Committee herewith lay before your Honours, and submit their Sufficiency, for the End designed, to your Honour's Consideration.

Your Committee would only add, that touching the remaining six Rights, viz. those Originally proposed for *Nehemiah Wright, John Hadley, Richard Ward, Moses Dickinson, James Fay, and Israel Hammond*, That altho' they have not neglected to proceed as far as with Convenience they could, towards a proper Disposition thereof, yet they have not been able hitherto fully to compleat the same, and therefore beg Leave of your Honours, hereafter to Report thereon.

Read and Ordered, That this Report be accepted; and that the Lands by the said Committee therein Reported to be granted and confirmed, be and hereby are granted and confirmed to the respective Persons therein mentioned, accordingly.

Order on
the above
Report.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Martis 22. Die Februarii, A. D. 1757.

I *Saac Royall, Esq;* brought down the Bill Intitl'd *An Act for further Regulating the Proceedings of the Courts of Probate within this Province.* Pass'd in Council, viz. In Council Febr. 21st 1757. Read and concur'd with the further Amendment, viz. dele the Amendment at C. Sent down for Concurrence.

Bill bro't
down.

Read and concur'd.

A Bill Intitl'd *An Act for the Supply of the Treasury with the Sum of Three Thousand Pounds, to encourage Soldiers to enlist into the intended Expedition under the Chief Command of the Right Hon. the Earl of Loudoun.*

Bill bro't
down.

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

D d d d d

Ordered,

Order on a Bill. *Ordered*, That the Bill Intituled *An Act for preventing the Exportation of Provisions and Warlike Stores out of this Province*; be committed to Col. *Hale* for Examination, and to make such Amendments as he shall judge necessary, and Report.

Report on a Bill. The Committee to whom was referred the Consideration of the Fees in the Judge of Probates Office, Reported thereon.

Which Report was read and accepted: And thereupon,

The Bill Intituled *An Act for Establishing and Regulating Fees of the several Offices within this Province hereafter mentioned*; was Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Capt. *Hutchins*, Mr. *Jonathan Foster*, and Mr. *Jacob Porter*.

Petition of *Margarett Pollard*, bro't down *Richard Cutt*, Esq; brought down a Petition of *Margaret Pollard*, Relict, and Executrix of the last Will and Testament of *Benjamin Pollard*, Esq; deceased, and others. Pass'd in Council, viz. In Council *Febr. 21. 1757.* Read, and in Answer to this Petition, *Ordered*, That the said *Margarett's* returning said Execution into the Clerk's Office from whence it issued, she be, and hereby is truly discharged from all Demands, which the said *Isaac* has or may have against the Estate of the said *Benjamin* in her Hands, on Account of his not serving said Execution, agreeable to Law, or suffering said *Sarah* to go at Large, after he or his Deputy had taken her by Force of said Execution; and the Notes within mentioned are hereby declared void: And that said *Isaac* have his Proportion of his said Debt, with the rest of the Creditors, on said *Salmon's* Estate, and the Cost of *Six Pounds nine Shillings and four Pounds* mentioned, and no more. And the said *Sarah* is hereby fully discharged from said Judgment, which the said *Isaac* recovered against her: As also the said *Dean* from any Latches of his relating to the said Execution.

Sent down for Concurrence.

Read and after a Debate thereon, non-concur'd. And

Ordered, That the Petition lie on the Table.

Debate on the State of the Frontiers The Committee appointed to take under Consideration the State of the Frontiers East and West, Reported thereon.

Read, and the Report being taken under Consideration, and a Debate had thereon, the further Consideration thereof was referred.

Post Meridiem.

Report on Petition of *James Carr*. The Committee appointed on the Petition of *James Carr*, Reported thereon.

Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *four Pounds sixteen Shillings*, to the Petitioner, in Consideration of his Boarding himself twelve Weeks, whilst in the Service of the Province, as mentioned.

Sent up for Concurrence.

The Committee appointed on the Petition of *Samuel Nichols Nelson*, Reported thereon.

Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *Four Pounds*,

Pounds, in full Consideration of his Expences on his return Home from the Army, under the Command of General *Winslow*.

Sent up for Concurrence.

The House Re-assumed the Consideration of the Report of the Committee appointed to prepare an Establishment of the Eastern and Western Frontiers : And after a further the Debate thereon, the same was accepted, and sent up for Concurrence. Debate relating to the Frontiers.

A Bill Intituled *An Act for preventing the Exportation of Provisions and Warlike Stores out of the Province*. Bill engross'd.

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence, by Col. *Hale*, Judge *Russell*, and Capt. *Thomas*.

John Otis, Esq; brought down a Petition of *Belloni Melancon*, late Inhabitant of *Nova-Scotia*, praying that he with his Family (except his two eldest Sons, who he is willing should be placed in some English Families) may be permitted to tarry at *Weymouth*, where they now are, and be allowed a House and Fire-Wood, he providing for their other Expences, without further Charge to the Province. Pass'd in Council, viz. In Council *Febr. 22. 1757*. Read and Ordered, That *Sylvanus Bourne*, Esq; with such as the honourable House shall join, be a Committee to hear the Petitioner and any other Persons concerned, and Report what they think proper to be done thereon. Sent down for Concurrence. Petition of Belloni Melancon, bro't down.

Read and concur'd, and Col. *Marcy*, and Mr. *Turner* are joined in the Affair.

An engross'd Bill Intituled *An Act for the Supply of the Treasury with the Sum of Three Thousand Pounds*. Bill enacted.

Read and Resolved, That the Bill pass to be Enacted.

On a Motion made and seconded, Voted, That the several Commissaries who were employed in the Service of this Province, on the late Expedition against *Crown-Point*, be directed to lay their respective Accounts before this Court forthwith. Commissaries directed

Sent up for Concurrence.

The Committee appointed on the Petition of *Amasa Delano*, Reported thereon. Report on Petition of Amasa Delano

Read and Ordered, That the Petitioner be directed to lay before the Committee appointed to examine the Muster-Rolls the Names of the several Soldiers he was ordered to collect : And that the Petition be Re-committed ; and that the said Committees lay an Account of said Persons before the House.

The Committee appointed on the Memorial of the Executors of the last Testament of *Josiah Willard*, Esq; deceased, Reported verbally ; and the Consideration of said Report referred till to Morrow Morning. Report on a Memorial,

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Mercurii 23. Die Februarii, A. D. 1757.

Vote for a
Message to
his Honour
relating to
Men to be
raised &c.

[Experience]

Whereas his Honour the Lieutenant Governour is now issuing his Orders to the Colonels of the several Regiments of Militia within this Province, for the Levying their respective Proportion of the Eighteen Hundred Men, agreed to be raised by this Government for his Majesty's Service under the Right Honourable the Earl of Loudoun &c. And

Whereas, from the Nature of the Thing, and from past unhappy Experience, there is the greatest Reason to fear a Deficiency in the Number of Men to be raised for that Service, unless some more effectual Provision be made for speedy collecting the Men enlisted and impressed, than hath been made heretofore : Therefore,

Voted, That a Message be sent to his Honour the Lieut. Governour, desiring, that in his Warrants to the Colonels of the several Regiments, he would give particular Orders to said Colonels, that they collect together all the Men raised in their respective Regiments, in some proper Place within the same, on or before the 31st Day of March next, in order to be mustered ; and that they order the Men so collected and mustered, to continue there, prepared to yield an immediate Obedience to his Honour's further Orders.

And Ordered, That Col. Miller, Col. Worthington, and Col. Hale, prepare the Draught of a Message to his Honour the Lieut. Governour, for the Purposes mentioned.

Order on
Memorial of
Florentius
Vassall, Esq;

Ordered, That the Memorial of Florentius Vassall, Esq; as heretofore entered, and referred from Time to Time, be further referred for Consideration till the next Sitting of this Court.

Voted, That the Committee of War be directed to take Care, that the Cloathing and other Stores belonging to the Province, now at Albany, and the Forts near that Place, be transported to Boston, as soon as may be.

Vote for
Soldiers
Cloathing.

On a Motion made and seconded, Voted, That all Non-Commissioned Officers and private Soldiers that shall proceed in his Majesty's Service, under the Command of the Right Hon. the Earl of Loudoun, as the Part of this Province, shall be intitled to a Coat and a Soldier's Hat each, over and above the Wages and Bounty already voted for their Encouragement ; and that the Committee of War be directed to provide the same accordingly.

Sent up for Concurrence.

Committee
on a Message
to his Honour.

Ordered, That Col. Worthington, Mr. Tasker, and Mr. Witt, be a Committee to prepare the Draught of an Answer to his Honour's Message of the 18th Instant, relating to an Additional Grant, and Report.

Message to
the Board.

Ordered, That Col. Buckminster go up with a Message to the honourable Board, to desire the Petition of William Little and others of the District of Shirley, with the Papers accompanying the same : Also, that the Establishment passed Yesterday, for the Defence of the Eastern and Western Frontiers may be sent down.

Who returned, he had delivered the Message.

James

James Minot, Esq; brought down the said Petition &c. and the said Establishment, accordingly.

Establishment for the Frontiers.

The House took under Consideration the Establishment for the Eastern and Western Frontiers, and an Amendment being made thereon, the same was sent up again for Concurrence.

On a Motion made and seconded, the Petition of *Thomas Train*, and others, relative to the State of the Forts at *Hoosuck*, as entred the fifth of *June* last, was read again : And

Order relating to the Forts at *Hoosuck*.

Ordered, That Mr. *Witt*, and Col. *Murray*, with such as the honourable Board shall join, be a Committee to repair to the Western Frontiers, and inspect the Forts at *Hoosuck*, and the Situation of the Lands adjacent, and Report to this Court, where they judge the most convenient Place for erecting a Fort for the Security of the said Frontiers ; and that the said Committee be directed to attend that Service as soon as may be.

Sent up for Concurrence.

A Bill Intituled *An Act in further Addition to an Act Intituled An Act for Regulating the Assize of Cask, and preventing Deceit in packing Fish &c. for Sale, made in the fourth Year of King William and Queen Mary*. Read a third Time, and pass'd to be engross'd.

Bill engross'd.

[Addition]

Sent up for Concurrence.

The Committee appointed to prepare a Message to his Honour the Lieut. Governour, for preventing Deficiencies of the Men agreed to be raised for his Majesty's Service, Reported thereon.

Message to his Honour relating to the Forces to be raised.

Read and accepted ; and *Voted*, That the following Message be sent to his Honour the Lieut. Governour, viz.

May it please your Honour,

THE House considering, that your Honour is now about to issue your Orders to the Colonels of the several Regiments of Militia within the Province for the Levying their respective Proportions of 1800 Men, agreed to be raised by this Government for his Majesty's Service, under the Right Hon. the Earl of *Loudoun*, and apprehending, that from the Nature of the Thing, & from past unhappy Experience, there is great Reason to fear a Deficiency in the Number that may be raised for that Service, unless some more effectual Provision be made for speedy collecting the Men in listed and impressed, than hath been made heretofore.

And as Provision is made by the Assembly for the Subsistence of the Men from their first entring on the Service ; The House therefore earnestly desire your Honour, that in the Warrants to the Colonels for Raising the said Men, your Honour would be pleased to give them particular Orders to collect together all the Men raised in their respective Regiments, in some proper Place within the same, on or before the thirty-first Day of *March* next, in order to their being Mustered ; and that they order the Men so collected and mustered, to continue there, ready to yield a punctual Obedience to your Honour's further Orders.

Ordered, That Col. *Cotton*, Col. *Miller*, and Col. *White*, be a Committee to wait upon his Honour the Lieut. Governour with the foregoing Message.

Post Meridiem.

Message to
the Board.

On a Motion made and seconded, *Ordered*, That Capt. *Epes* go with a Message to the honourable Board, to enquire whether they have passed on the Bill impowering the several Towns, &c. to raise Money for hiring Men for his Majesty's Service ?

Who returned, that he had delivered the Message.

Message
from the
Board.

Andrew Oliver, Esq; came down with a Message from the honourable Board, to acquaint the House, that they had passed on said Bill, and had con-concur'd the same : And

Vote there-
on.

On a Motion made by the Member for the Town of *Salem*, *Voted*, That he have Liberty to bring in a Bill, particularly impowering said Town to raise Money for that Purpose.

Who Reported a Bill Intitled, *An Act to enable the Inhabitants of the Town of Salem, to raise Money for hiring Men into his Majesty's Service.* Read a first and second Time ; and

Message to
the Board.

On a Motion made and seconded, *Ordered*, That Mr. *Tasker* go up with a Message to the honourable Board, to propose a Conference on the Subject-Matter of the Bill lately passed this House, impowering the several Towns and Districts within the Province, to raise Money for hiring Men for his Majesty's Service.

Who returned, that he had delivered the Message.

Message
from and to
the Board.

Sylvanus Bourne, Esq; came down with a Message from the honourable Board, to acquaint the House, they have agreed to the Conference proposed, and have appointed two Gentlemen as Managers on the Part of the Board ; and further to propose that the Conference be held to Morrow at Eleven o'Clock in the Forenoon.

Which being agreed to, *Voted*, That Mr. *Welles*, and Mr. *Gridley*, be the Managers on the Part of the House : And

Ordered, That Col. *White* go up to the honourable Board, and acquaint them that the House agree to their Proposal.

Who returned, he had delivered the Message.

Report on
Petition of
Benj. Hastings.

The Committee appointed on the Petition of *Benjamin Hastings*, in Behalf of the Inhabitants of *Greenfield*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that there be allowed to be paid out of the public Treasury to said Inhabitants, the Sum of *twelve Pounds*, to be improved for building Fortifications there, under the Conduct of *Elijah Williams*, Esq; as far as it respects the laying out of said Money, and to be paid into his Hands for that Purpose.

Sent up for Concurrence.

Bill read.

A Bill Intitled *An Act for granting unto his Majesty several Rates and Duties of Impost, and Tunnage of Shipping.*

Read a second Time ; and *Ordered*, That the Bill have a third Reading, at Ten o'Clock to Morrow Morning.

Report on
Memorial of
Andr. Oliver,
Esq; &c.

The Committee appointed on the Memorial of *Andrew Oliver*, Esq; and others, Trustees in the Act relating to the Linnen Manufacture, Reported thereon verbally ; and

Ordered, That the said Committee have Leave to sit again, and Report at the next Sitting of this Court.

The Committee appointed on the Petition of *Samuel Robinson*, Reported thereon verbally ; and

Ordered, That the Petition lie on the Table accordingly, 'till the particular Account of the Arms of the Men deceased, therein referred to, be brought in. Report on
Petition of
Capt. *Samuel
Robinson*.

A Petition of *Samuel Thacher* of *Middleboro'*, in the County of *Plymouth*, shewing that he being appointed a Captain in the Forces under General *Winslow* the last Year, was directed by him to leave a Number of Arms at Fort *William-Henry*, for the Use of his Majesty's Forces there, some of which belonged to Soldiers who died in the Service, that the Arms of some others were lost, and others he has since delivered to *Thomas Foster*, Esq; at *Plymouth* ; and praying a Resolve of the Court, to enable him to discharge the Widows and Orphans of the Deceased, and of the others who returned their Arms, or where they were unavoidably lost. Petition of
Sam. Thacher.

Read and *Ordered*, That Col. *White*, Mr. *Staniford*, and Col. *Lawrence*, be a Committee to consider this Petition, and Report what they judge proper to be done thereon.

On a Motion made and seconded, *Voted*, That the Commissary-General be directed to get Repaired as soon as may be, all such Arms belonging to the Province, now in his Store, as are capable of Repair. Commissary
General di-
rected.

An engross'd Bill Intituled, *An Act for the better regulating Proceedings in the Courts of Probate within this Province*. Bill read.

Read, and after a Debate thereon, the further Consideration thereof was referred 'till to Morrow Morning.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Jovis 24. Die Februarii, A. D. 1757.

Isaac Royal, Esq; brought down the Establishment for the Defence of the Eastern and Western Frontiers. [Royal]

Pass'd in Council, viz. In Council February 24th 1757.

Read and concur'd with the Amendments.

Sent down for Concurrence.

Read and non-concur'd, and the House adhere to their own Vote. Establish-
ment of the
Frontiers,
bro't down.

Sent up for Concurrence.

A Bill Intituled, *An Act for granting unto his Majesty several Rates and Duties of Impost, and Tunnage of Shipping*. Impost Bill
engross'd.

Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence, by Col. *Cotton*, Mr. *Gibbs* of *Newton*, and Capt. *Stevens*.

Voted, That Col. *Hale* be one of the Managers of the Conference with the honourable Board, in the Room of Mr. *Gridley*, who desires to be excused from that Service. Committee
on a Confe-
rence.

On a Motion made and seconded, *Voted*, That his Honour the Lieut. Governour, be desired to give Orders to the Person he shall think proper to employ to repair to *Albany* to take Care of the Arms and Stores belonging to the Province, that he immediately collect Vote for a
Message.

collect from the several Stores, Forts, and Officers Hands, all the Arms & Accoutrements that were left at *Albany*, and the Parts adjacent, by the Forces raised by this Government the last Year, on the Expedition against *Crown-Point*, and ship them directly for *Boston*, unless his Excellency the Earl of *Loudoun*, or some of his principal Officers give Orders to the contrary ; and in that Case, that he see that a proper Certificate be taken and returned, in order to discharge the Commissary-General's Obligation (in Behalf of this Government) to the King's Store-Keeper, for the Arms and Accoutrements aforesaid.

Sent up for Concurrence.

Vote relating to the Western Frontiers bro't down.

Isaac Royal, Esq; brought down the Vote for a Committee to repair to the Western Frontiers, to consider of some suitable Place for erecting a Fort for their Defence.

Pass'd in Council, viz. In Council *February 23d. 1757.*

Read and non-concur'd ; and *Ordered*, That *James Minot*, Esq; with such as the honourable House shall appoint, be a Committee to take under Consideration the present Circumstances of the Settlement at *Hoosuck*, and report the most convenient Place for erecting a Fort for the Security thereof.

Sent down for Concurrence.

Read and non-concur'd, and the House adhere to their own Vote.

Sent up for Concurrence.

Report on Petition of *John Fiske*.

The Committee appointed on the Petition of *John Fiske*, Reported thereon verbally : Which was not accepted ; and

Ordered, That the further Consideration of the Petition, be referred 'till the next Sitting of this Court.

Petition of *Israel Averill*.

A Petition of *Israel Averill* of *Topsfield*, in the County of *Essex*, shewing that on an Action brought against him by *Anna Jarvis* of *Marblehead*, at the Inferiour Court for said County in *December* last, Judgment was made up against him ; but knowing that the Sum recovered was not due, his Attorney claimed an Appeal to the next Superiour Court to be held for said County, and within the Time limitted by Law, went to *Salem* to Recognize for prosecuting the same ; but there being neither of the Justices of said Court present, he has lost the Benefit of an Appeal, without the Interposition of this Court ; and praying that he may be still allowed to Recognize for prosecuting his said Appeal, the Time limitted by Law being elapsed notwithstanding.

Order thereon.

Read and *Ordered*, That the Petitioner notify the adverse Party with this Petition, by serving her with an attested Copy thereof, that she shew Cause (if any she have) on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted ; and that Execution be stayed in the mean Time, the Petitioner giving sufficient Security to the Sheriff of the County of *Essex*, to Respond the Judgment that shall be finally recovered against him.

Sent up for Concurrence.

Petition of *John Goodwin*.

A Petition of *John Goodwin* of *Reading*, in the County of *Middlesex*, praying an Allowance for his Son *Kendall Goodwin*'s Subsistence, on his Return home from the Army at *Lake-George* in

1755,

1755, since deceased, who paid his own Expences, except a few Meals he received on Account of the Province, agreable to the Deposition of *Joshua Eaton*, who came in Company with him, thereto annexed.

Read and *Ordered*, That the Prayer of this Petition be granted; and that the Province Treasurer be, and hereby is, directed to pay the Petitioner the Money due on the Muster-Roll of Capt. *Ebenezer Jones* to *Kendall Goodwin*, deceased, for his Subsistence on his Return home from the Army on the Expedition against *Crown-Point*, in 1755, deducting out of the same an Allowance for four Meals he received on the Province's Account.

Sent up for Concurrence.

Voted, That the Province Treasurer be, and hereby is directed in paying the Roll of the Officers & Soldiers in the last Expedition towards *Crown-Point*, to retain *four Pounds* out of the Wages of every Officer and Soldier, that received Arms belonging to the Crown, or that are now possessed of Arms belonging to the Province, till such Officer or Soldier return the same Arms & Bayonets (therewith delivered) to the Commissary-General, or produce a Certificate that they have lodged the same with some Person appointed in the several Counties in the Province to receive them: And

Province
Treasurer
directed.

That the several Colonels and Captains of Militia in the Province be, and hereby are impowered and enjoined immediately to seize all such Arms as they may find disposed of by any of said Soldiers, and in the Hands of any of the Inhabitants of the Province, and to convey the same to the Commissary-General, in the most speedy & easy Manner: And that his Honour the Lieut. Governour, be desired to write to the Governours of *New-York & Connecticut*, advising them that many of the said Arms, delivered to the Soldiers raised by this Province, have been purchased from them by the Inhabitants of their respective Governments, and to desire them to take such Measures as may be tho't necessary for the Recovery of the same, for the Use of this Province: And further *Ordered*, That the first Paragraph of this Vote be published in the public Prints, for the Information of all Persons concerned.

Colonels &
Captains di-
rected as to
Fire Arms.

Sent up for Concurrence.

Samuel Watts, Esq; came down with a Message from the honourable Board, to acquaint the House, they are ready to attend the Conference agreed on between the Houses, on the Bill impowring Towns & Districts to raise Money for hiring Men for his Majesty's Service, as soon as the House pleases.

Message
from the
Board.

Thereupon, Mr. Speaker, with the House, went up to the Council Chamber, and after the Conference, returned to their own Chamber again.

Post Meridiem.

John Otis, Esq; brought down a Bill Intituled, *An Act for altering the Times appointed for holding the Superiour Court of Judicature, &c. in the Counties of Plymouth, Bristol and Barnstable.*

Bill bro't
down.

F f f f f

Pafs'd

Pass'd in Council, viz. In Council *February* 24th 1757.
Read a first and second Time, and pass'd to be engross'd.
Sent down for Concurrence.

Read a first, second and third Time, and pass'd a Concurrence to be engross'd.

Report on
Petition of
Thos. Bowen.

The Committee appointed on the Petition of *Thomas Bowen*, Esq; Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the Treasurer be, and hereby is, directed to repay to the Petitioner the Sum he paid into the Province Treasury, for the Excise on Tea, Coffee and China-Ware, in the County of *Bristol* for the Year 1754, deducting therefrom the Charges of the Committee who sold the said Excise for said Year.
Sent up for Concurrence.

Report and
Vote relating to his
Honour's
Grant.

The Committee appointed to prepare an Answer to his Honour's Message of the 18th Instant, relating to an Augmentation of his Grant, Reported thereon, according to Order.

Read, and not accepted ; and

On a Motion made and seconded, *Voted*, That the House reconsider their former Vote for not making an Augmentation to his Honour's Grant, and that the Consideration of the said Message be referred to the next Sitting of the Court.

Pierſon Eaton
admitted into the House,
and being
examined,
ordered to
withdraw.

The House being informed, that *Pierſon Eaton* was at the Door, agreeable to their Direction, waiting for Admittance :

He was thereupon admitted accordingly ; and after being examined by Mr. Speaker and the House, on the Affair of his receiving Pay on Capt. *Reed's*, and Capt. *Stevens's* Muster-Rolls, at the same Time, for his Service in the Expedition against *Crown-Point* in 1755 ; was ordered to withdraw.

The House taking the Affair under Consideration, and it appearing by his own Confession, that the Facts alledged were true.

Ordered, That the Attorney-General be directed to prosecute him for his said Misdemeanor.

Order on
the Affair of
John Frye.

The Committee appointed on the Frauds committed by Capt. *John Frye*, and his Petition relative thereto, further Reported thereon verbally ; That they were of Opinion, the said Capt. *Frye* having had sufficient Time allowed him for paying the Money he has in his Hands belonging to the Province, and not paid in the same, he be prosecuted for the Frauds he appears to have been guilty of.

And thereupon, *Ordered*, That the Attorney-General be directed to prosecute him accordingly.

Bill refer'd.

An engross'd Bill Intituled, *An Act for regulating of the Fees of the ſeveral Officers hereafter mentioned.*

Read, and the further Consideration thereof referred.

Bankrupt-
Bill refer'd.

On a Motion made and seconded, *Ordered*, That the Consideration of the Bankrupt-Bill, be referred 'till the next Sitting of this Court.

Ordered, That the Committee appointed to prepare a List of the Travel and Attendance of the Members of the House the present Sitting, be directed to make up the same inclusive of to Morrow.

The

The Committee appointed on the Petition of *Mehetabel Nye*,
Reported thereon. Read and not accepted, and
Ordered, That the Petition be dismiss'd.

Report on
Petition of
*Mehitabel
Nye*.

On a Motion made and seconded, *Ordered*, That Col. *Cotton* go
up with a Message to the honourable Board, to enquire whether
they have re-considered their Vote of Non-concurrence on the
Bill empowering the several Towns and Districts within this Pro-
vince to raise Money for hiring Men for his Majesty's Service,
since the Conference of the two Houses on that Subject ?

Message to
the Board.

Who returned, that he had delivered the Message.

William Brattle, Esq; came down with a Message from the ho-
nourable Board, to acquaint the House, that since the Conference
of the two Houses on said Bill, the Question had been put at the
Board, *Whether they would re-consider their former Vote of Non-con-*
currence thereon ? And it pass'd in the Negative.

Message
from the
Board.

The Committee appointed on the Petition of *Amos Delano*,
having laid on the Table an Account of the Soldiers the Petiti-
oner collected, and forwarded to the Camp.

Order on .
Petition of
Amos Delano.

Read, and thereupon the Report of said Committee was read
again, and accepted ; and

Ordered, That there be allowed and paid out of the public
Treasury to the Petitioner, the Sum of *twelve Pounds seventeen*
Shillings and five Pence, in full of the Expences in the Petition
mentioned. Sent up for Concurrence.

The Committee appointed on the Petition of *Thomas Haskell*,
Reported thereon.

Report on
Petition of
Tho. Haskell.

Read, and not accepted ; and *Ordered*, That the Petition be
dismiss'd.

The House Re-assumed the Consideration of the engross'd Bill
Intituled, *An Act for the better regulating Proceedings of the Courts*
of Probate within this Province : And after a Debate had thereon,

Probate Bill
referred.

Voted, That the further Consideration of the Bill be referred
to the next Sitting of this Court.

Then the House adjourn'd till to Morrow Morning Ten o'Clock.

Ueneris 25. Die Februarii, A. D. 1757.

John Otis, Esq; brought down the Report of the Committee of
both Houses, on the Petition of *Belloni Melancon*, late Inhabitant
of *Nova-Scotia*. Signed *Sylvanus Bourne*, per Order.

Report on
Petition of
*Belloni Me-
lancon*, bro't
down.

Pass'd in Council, viz. In Council *February 24th 1757*.

Read and *Ordered*, That this Report be so far accepted, as re-
lates to the Petitioner's Complaint of his Treatment at *Lancaster*,
being without Grounds ; but inasmuch as the Petitioner offers to
undertake for the Support of himself and the other French re-
moved from *Lancaster*, except in the Article of Firing and House
Room, and is likewise willing that two of his Sons be placed out
in Families ; and inasmuch as the Petitioner is by Employment
a Fisherman, which cannot be exercised at *Lancaster* : Therefore,
Ordered,

Ordered, That he have Liberty to reside in the Town of *Weymouth*, until this Court shall otherwise Order; and the Select-Men of said Town are empower'd to place two of his Sons in English Families for a reasonable Term, and to provide House-Room for the Rest, and the Liberty of cutting as much Fire-Wood as is necessary in as convenient a Lot as can be procured, the Account of the Charge of House Rent and Fire Wood to be allowed out of the Province Treasury. Sent down for Concurrence.

Read, and unanimously non-concur'd; and *Ordered*, That the Report of the Committee be accepted, and that the said French Neutrals (so called) be directed to return forthwith to the Town of *Lancaster* accordingly. Sent up for Concurrence.

Report on
Account of
John Norton,
Esq;

The Committee appointed on the Account presented to the Court by *John Norton*, Esq; Reported thereon.

Read and accepted, and *Ordered*, That the Sum of *seven Pounds sixteen Shillings*, be allowed to be paid out of the public Treasury, in full of the within Account of the Charges of sundry Committees on Sale of the Duties of Excise in said County, as mentioned, and that the said Sum be paid to *John Norton*, Esq; for the several Persons concerned. Sent up for Concurrence.

Report on
Petition of
Rebecca Davis.

The Committee appointed on the Petition of *Rebecca Davis*, Reported thereon.

Read and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Ephraim Sherman*, for the Use of the Petitioner, the Sum of *sixteen Shillings*, in full of the Expenses referred to therein. Sent up for Concurrence.

Report on
Petition of
Capt. *Sam. Thacher*.

The Committee appointed on the Petition of *Samuel Thacher*, Reported thereon.

Read and accepted, and *Ordered*, That the Province Treasurer be, and he hereby is, directed in paying off the several Persons hereafter named, who were in the *Crown-Point* Expedition the last Year, not to make any Stoppage out of their Wages for their Guns, they being returned, and Receipts given for the same, viz. *Samuel Thacher's*, *David Delano's*, *Stephen Merrill's*, *Seth Jewett's*, *Remembrance Dunham's*, which were returned to *David Darling*, Quarter-Master at *Fort William-Henry*; and *William Tupper's*, *Israel Felix's*, *William Barlow's*, *Lemuel Wood's*, *Samuel Babbit's*, *James Faunce's*, *Nathan Thomas's*, *Joshua Caswell's*, *Ephraim Thomas's*, and *Abner Barlow's*, which were delivered to *Thomas Foster*, Esq; at *Plymouth*; also *Robert Barrow's*, and *George Hoyt's* Guns, which were left at *Green-Bush*; also *William Ranson's* Gun which was lost in a Batteau, and as to *John Reed's* Gun, that the further Consideration of that Affair be referred.

Sent up for Concurrence.

Message to
the Board.

Ordered, That Col. *Clap* go up with a Message to the honourable Board, to desire they would give Dispatch to the Business now lying before them, that the Court may Rise to Day, if his Honour the Lieut. Governour pleases.

Who returned, that he had delivered the Message.

The

The House Re-assumed the Consideration of the engross'd Fee-Bill ; and Order on the engross'd Fee-Bill.

Ordered, That Col. *Clap* go up with a Message to the honourable Board, to propose to them some Amendments thereon.

Who returned, that he had delivered the Message.

An engross'd Bill Intituled, *An Act for preventing the Exportation of Provisions and War-like Stores out of the Province.* Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

Ordered, That the Consideration of the Bounty Money and Blanket, proposed to have been given to such as should be draughted out of the Regiments in the Counties of *Hampshire* and *Worcester*, to Reinforce the Army under Major-General *Winflow*, be referred till the next Sitting of the Court. Order relating to Bounty Money &c.

A Petition of *David Darling* and others, Quarter-Masters to several Regiments in the late Expedition against *Crown-Point*, shewing that after the Arrival of the Army at a Place called the *Half-Moon*, it was found necessary that an Officer for each Regiment should be appointed to assist the Quarter-Master-General, that they were Commissionated accordingly, and faithfully performed the Services assigned them, but there being no Establishment of Wages made for such Officers ; therefore praying that such Allowance may be made them as shall be judged reasonable. Petition of David Darling.

Read and *Ordered*, That the Petition be dismissed.

On a Motion made and seconded, *Ordered*, That Mr. *Tasfer*, Mr. *Flucker*, and *Richard Reed*, Esq; be a Committee to prepare and bring in a Bill for regulating the Distribution of Prizes, which may be taken by the armed Vessels proposed to be fitted out by the Province, during the Course of the present War, to Report at the next Sitting of the Court. Committee on Distribution of Prizes.

Whereas there is not a Sufficiency of Money now in the Treasury, to be spared to purchase Coats, Hats, &c. ordered by this Court for the Men to be raised for the proposed Expedition, under his Excellency the Earl of Loudoun : *Therefore*, Vote relating to purchasing Soldiers Cloathing &c.

Voted, That the Committee of War engage to those of whom they purchase them, that this Court will make Provision the next *May* Sessions, that they shall be paid in Government Securities, which shall be on lawful Interest, and bear Date from the Time of the respective Purchases. Sent up for Concurrence.

The Committee appointed to prepare a List of the Travel and Attendance of the Members of the House for the present Sitting, Reported thereon. Report on List.

Read, examined and allowed ; and *Ordered*, That the Clerk of the House certify the same accordingly.

Voted, That the Committee of War be directed to provide Boxes of Medicines, and whatever else this Court have engaged to supply for the 1800 Men, agreed to be raised on the Part of this Government, on the intended Expedition under the Command of his Excellency the Earl of *Loudoun*. Committee of War directed.

Sent up for Concurrence.

G g g g g

Ordered,

Petition of
Wm. Little,
&c. refer'd.

Ordered, That the Consideration of the Petition of *William Little* and others, of the District of *Shirley*, as heretofore entered, be referred to the next Sitting of the Court.

All Matters
refer'd.

Voted, That all Matters now lying before this Court, which have not already been, and shall not be passed on before the Court Rises, be referred over, and have the same Day at the next Sitting.

Sent up for Concurrence.

Report on
Petition of
Sol. Wheat.

The Committee appointed on the Petition of *Solomon Wheat*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury, the Sum of *thirty Shillings* to the Petitioner, in Consideration of his Services mentioned as Chirurgeon and Physician, and of his being born in the Muster-Roll of the Company he belonged to, as a private Soldier, only instead of Clerk, in which Capacity he engaged in the Service.

Sent up for Concurrence.

Messsage
from the
Board.

John Chandler, Esq; came down with a Message from the honourable Board, to acquaint the House, that they agree to the Amendments on the Fee-Bill proposed by the House, and to propose a further Amendment thereon : Which being agreed to by the House :

Thereupon,

Fee-Bill
enacted.

Resolved, That the said Bill Intituled, *An Act for regulating the Fees of the several Officers within the Province hereafter mentioned*, pass to be Enacted.

Mr. Gridley
and Mr.
Flucker on a
Committee.

On a Motion made and seconded *Ordered*, That *Jeremy Gridley*, and *Thomas Flucker*, Esqrs; be of the Committee on the Repairs of *Castle-William*, in the Room of the Hon. *William Brattle*, Esq; now of his Majesty's Council, and *James Bowdoin*, Esq; who is not now of the House.

Sent up for Concurrence.

Petition of
Moses Deshon,
Esq;

A Petition of *Moses Deshon* of *Boston*, in the County of *Suffolk*, Esq; shewing that he received a Major's Commission in the late Expedition against *Crown-Point*, and proceeded in the Service till (being taken sick at *Fort-Edward*) he had a Permit to go to *Albany*, and the Earl of *Loudoun* having given Orders that the Sick should be dismissed from the Service, and his Illness continuing on him, he afterwards set out for *Boston*, and was at considerable Expence in getting home, and after his Return ; and praying his full Pay may be allowed him, and his said Expences after he left the Camp, as also his Subsistence on his Return home from the Army after the Expedition in 1755, which he has not received.

Read and *Ordered*, That the Consideration of this Petition, be referred till the next Sitting of this Court.

Establish-
ment for the
Frontiers,
bro't down.

Isaac Royall, Esq; brought down the Establishment for the Eastern and Western Frontiers.

Pass'd in Council, viz. In Council *February 25th 1757*.

Read and non-concur'd, and the Board adhere to their own Vote.

Sent down for Concurrence.

Read and non-concur'd.

Vote of
Council
bro't down.

Benjamin Lincoln, Esq; brought down the following Vote of Council, viz. In Council *February 25th 1757*.

Whereas

Whereas this Court have directed the Committee of War to purchase a Coat and a Soldier's Hat, for each of the Non-commission Officers and Soldiers, that shall proceed in his Majesty's Service in the Pay of this Government, under the Command of his Excellency the Earl of Loudoun :

Order relating to the Committee War their purchasing Cloathing &c.

Ordered, That the said Committee give public Notice of the particular Kinds and Qualities of the Articles they may want for the Purpose aforesaid, that any Persons who incline to supply the same, may give in an Account of such Articles as they would furnish, with the Sterling Price (on Oath if required) of such of them as are Imported from *England*, and the Advance thereon at which they would sell them : And that the Committee give the Preference to those who shall offer such Commodities as are suitable for the Purpose, upon the easiest Terms.

Sent down for Concurrence. Read and concur'd.

The Committee appointed on the Petition of *John Norton*, Esq; Reported verbally ; and thereupon,

Report on Petition of *John Norton*, Esq;

Ordered, That Col. *White*, be directed to make Enquiry relative to the Gun of one *Silas Yuman*, said to be taken from him by Capt. *Andrews*, in the late Expedition against *Crown-Point*, and Report at the next Sitting of the Court ; and that the further Consideration of said Petition, be referred to that Time accordingly. And

On a Motion made and seconded, Voted, That the Treasurer be directed to stop out of the Wages of *Peleg Wainey*, twenty eight Shillings lawful Money, and out of the Wages of *Jonathan Wayman*, one Pound thirteen Shillings and four Pence, for their Guns which they have not returned, and that those Sums be paid to Col. *Norton*, by the Treasurer, unless they produce their Guns, inasmuch as the said *Norton* impressed their Guns for them ; the said Persons were born on Capt. *Fuller's* Roll in the Year 1755.

Treasurer directed.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Capt. *Stevens*, Mr. *Welles*, and Col. *Norton*, be a Committee to prepare the Draught of a Resolve, explaining more fully what is intended to be excepted by the Words *Common Coasters*, from paying the six Pence per Ton Duty, laid on Vessels by the late Act providing and maintaining two armed Vessels to Guard the Coast, and Report.

Committee for a Resolve

Ordered, That the Committee appointed last Year, to make Enquiry relative to the Grants made by the General Court to the Rev. President *Holyoke*, and the other Incomes & Fees received by him, since his being in that Office, be directed to Report at the next Sitting of this Court.

Committee directed.

Post Meridiem.

It being represented to the House, that it is doubted by many Persons what Bounty, as the Laws now stand, those are intitled to who shall kill any Wolves or other Beasts of Prey ; and it being apprehended the ascertaining the same, would be of public Benefit :

Order relating to Wolves, &c.

Ordered, That the Consideration of the Affair be referred to the next Sitting of this Court.

Ordered,

Message to
the Board.

Ordered, That Col. *Cotton* go up with a Message to the honourable Board, to desire the Committee appointed to prepare the Accounts of the Expence this Government have been at in supporting the French Neutrals (so called) who arrived in the Province from some of his Majesty's Southern Colonies, may be directed to sit forthwith, and Report as soon as may be.

Who returned, that he had delivered the Message.

Memorial of
Thomas Hutchinson, Esq;

A Memorial of *Thomas Hutchinson*, Esq; in Behalf of the Commissioners of the *One Hundred Thousand Pounds* Loan, praying the Direction of the Court relative to his assigning certain Lands to *Isaac Little*, Esq; of *Pembroke*, who purchased the Right of Redemption of the same, formerly Mortgaged to said Commissioners by one *John Rogers*, and who is also Representative or Assignee of the Executors of *Lemuel Little*, deceased, against whom the Commissioners for said Loan, formerly recovered Judgment for Possession of Lands by him Mortgaged, all which Lands are now in Possession or under the Improvement of the said *Isaac Little*.

Read and *Ordered*, That the Consideration of this Memorial, be referred to the next Sitting of this Court.

Message
from the
Board.

William Brattle, Esq; came down with a Message from the honourable Board, to desire the House would re-consider their last Vote of Non-concurrence of the Vote of the Board on the Establishment for the Eastern and Western Frontiers, they apprehending it of great Importance that something should be done for the Defence of the Frontiers before the Court Rises.

Thereupon, the Question was put, *Whether it be the Mind of the House to re-consider their said Vote?*

And it pass'd it the Negative. And

Message to
the Board.

Ordered, That Col. *Cotton* go up with a Message to the honourable Board, to acquaint them with this Determination of the House. Who returned, that he had delivered the Message.

Report on
Memorial of
Capt. *Williams*.

The Committee appointed on the Memorial of Capt. *William Williams*, Reported thereon verbally:

Which Report was accepted; and *Ordered*, That the Consideration of said Memorial, be referred to the next Sitting of this Court accordingly.

[Addition]

An engross'd Bill Intituled *An Act in further Addition to an Act Intituled An Act for Regulating the Assize of Cask, and preventing Deceit in packing Fish &c. for Sale, made in the fourth Year of King William and Queen Mary*.

Read and *Resolved*, That the Bill pass to be Enacted.

Bill enacted.

An engross'd Bill Intituled, *An Act for altering the Times appointed for holding the Superiour Court of Judicature, &c. in the Counties of Plymouth, Bristol and Barnstable*.

Read and *Resolved*, That the Bill pass to be Enacted.

Message to
the Board.

On a Motion made and seconded, *Ordered*, That Col. *Miller* go up with a Message to the honourable Board, to desire the Establishment for the Eastern and Western Frontiers may be sent down. Who returned, that he had delivered the Message.

Jamer

James Minot, Esq; brought down the same accordingly.

The Vote of Council was thereupon read again, and non-concur'd, and the House adhere to their own Vote, with the Amendment at B. Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That *Col. White* go up with a Message to the honourable Board, to acquaint them that the House apprehending the Committee appointed by them to inspect the Muster-Rolls for the late *Crown-Point* Expedition, have been the Means of preventing many Errors therein ; they therefore desire the honourable Board would not pass on any of the said Rolls, in the Recess of the Court.

Message to the Board.

Who returned, that he had delivered the Message.

An engross'd Bill Intituled, *An Act for granting unto his Majesty several Rates and Duties of Impost, and Tunnage of Shipping.*

Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

Samuel Danforth, Esq; brought down a Petition of *Ephraim Hayward* of *Western*, in the County of *Worcester*, praying that he may be allowed to receive the Wages due to *Nath. Seeley*, for his Services in the Expedition to the River *Kennebeck* in 1754, Part whereof being fraudulently received by *Wm. Oliver*, notwithstanding.

Petition of *Ephr. Hayward*, bro't down.

In Council *Febr. 25th 1757.* Read and sent down.

Read, and *Ordered*, That the Consideration of this Petition be referred to the next Sitting of the Court.

Whereas this Court, at their present Sessions, have been making Provision for raising a considerable Number of Troops, to be employed in Conjunction with his Majesty's other Forces in North-America, under the Command of the Right Hon. the Earl of Loudoun, for annoying his Majesty's Enemies &c. And

Vote for desiring his Honour to appoint a Day of Fasting and Prayer.

Whereas the Interest and Safety of this Province greatly depends upon their Success, in the Expeditions in which they may be employed : And as our Success in this, and all other our Affairs, depends on the Smiles and Blessing of Heaven : Therefore,

Voted, That his Honour the Lieut. Governour be desired to appoint a Day of Fasting and Prayer, to be observed throughout this Province, to seek to Heaven, in the most humble, penitent and earnest Manner, for the divine Favour and Blessing on this, and all other the Affairs of the Public ; and that all Recreations and unnecessary Labour be forbidden thereon.

Sent up for Concurrence.

Ordered, That *Col. Cotton*, *Col. White*, *Col. Clap*, *Mr. Flucker*, and *Mr. James Foster*, be a Committee to desire his Honour the Lieut. Governour would be pleased to grant the Court a Recess this Evening.

Message for a Recess.

Who returned, that they had waited on his Honour, and delivered the Message.

Mr. Secretary Oliver came down with a Message from the honourable Board, to propose to the House an Amendment on the engross'd Bill for regulating the Assize of Cask, and preventing Frauds in packing Fish, &c. Which Amendment was agreed to.

Message from the Board.

Mr. Secretary Oliver came down with a Message from his Honour the Lieut. Governour ; which he read and laid on the Table.

H h h h h

His

Message
from his
Honour.

His Honour's said Message is as follows, *viz.*
Gentlemen of the House of Representatives,
I Should readily have gratified you, by complying with your Request, to
Raise the Court this Evening : but inasmuch as the two Houses
have not agreed upon Measures for the Defence of the Frontiers, I do
not think it safe the Court should Rise, until Provision be made for their
Protection.

Council Chamber Febr.

S. P H I P S.

25th 1757.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

Sabbati 26. Die Februarii, A. D. 1757.

Message to
the Board.

O Rdered, That Col. *Worthington* go up with a Message to the
honourable Board, to enquire whether they have pass'd on
the Establishment for the Eastern and Western Frontiers.

Who returned, that he had delivered the Message.

Francis Foxcroft, Esq; brought down the said Establishment.
Pass'd in Council, *viz.* In Council Febr. 25th 1757. Read and
non-concur'd and the Board adhere to their own Vote.

Sent down for Concurrence.

Read, and Ordered, That Col. *Worthington*, Col. *White*, and Mr.
Lyman, be a Committee to prepare an Establishment for the De-
fence of the Frontiers, and Report.

Vote for Re-
considering
a Message.

On a Motion made and seconded, *Voted*, That the House Re-
consider their Message sent to the honourable Board the last E-
vening, relating to their not passing on the Muster-Rolls for the
late *Crown-Point* Expedition in the Recess of the Court.

And further,

Committee
for examin-
ing Muster-
Roll.

Voted, That Mr. *Flucker*, Col. *Jones*, and Mr. *James Foster*, be
a Committee in the Recess of the Court, to examine the Muster-
Rolls of the Forces employed by this Province on the late *Crown-
Point* Expedition, as the same may be laid before them by the
honourable Board. Also,

Message to
the Board.

Ordered, That Col. *Clap*, Mr. *Flucker*, and Mr. *Bradbury*, be a
Committee to go up with a Message to the honourable Board,
and acquaint them that the House are apprehensive of many In-
conveniencies to the Public, should the Payment of the Soldiers
on the late Expedition against *Crown-Point*, be deferred till the
next Sitting of the Court, and to desire they would proceed to
pass on the said Rolls as soon as may be, after being inspected by
the Committee appointed by the House for that Purpose, their
Message of last Evening to the honourable Board to the con-
trary notwithstanding.

Who returned, that they had delivered the Message.

The Committee appointed to prepare an Establishment for the
Defence of the Frontiers, Reported the following Draught of a
Vote thereon ; which was read and accepted, *viz.*

Voted,

Voted, That the following Establishment be made for the Defence of the Eastern and Western Frontiers, *viz.*

Establishment for the Defence of Eastern and Western Frontiers.

That there be one Hundred Men (besides those now in the Garrisons and Forts) employed in Ranging the Woods on the Eastern Frontiers, in such Places as the Commander in Chief shall Order, to be continued in said Service till the tenth Day of *April* next, and no longer.

That there be fifteen Men posted at *Fort-Massachusetts*, besides the fifteen now there, including one Lieutenant, one Serjeant, one Corporal, and one Drummer.

That four of the Men at *Rice's* Garrison in *Charlemont*, be withdrawn, and two of them posted at *Hawkes's* Garrison, the other two at *Taylor's*, in said Place.

That the Men at *Fort-Massachusetts*, and the other Garrisons on the Western Frontiers, be employed in Scouting, as the Commander in Chief shall direct, and the Whole continued in the Service until the tenth Day of *July* next, or the further Order of this Court.

That the Men now posted at *Pontoosuck* by the Government of *Connecticut*, be subsisted at the Charge of this Government, until the tenth of *July* next.

That there be forty-five Men including one Captain, and one Lieutenant, employed in Ranging the Woods on the West-Side of *Connecticut-River*, North of *Fall-Town*, in such Places as the Commander in Chief shall Order, to be continued in said Service till the first Day of *April* next, and no longer.

That there be the same Pay and Subsistence allowed to the Forces on the Eastern and Western Frontiers, as was ordered by the Establishment, made for the Forces there the last Year.

That the Commissary-General be directed forthwith to provide a sufficient Number of Snow-Shoes and Moccasins, for those that may be employed in the Scouting and Ranging Service; and that the raising of the Men for the Services aforesaid, be by Enlistment.

Sent up for Concurrence.

A Memorial of *William Thompson*, Esq; shewing that he having engaged in the Service against *Crown-Point* the last Year, by Order of General *Winflow*, took the Command of the Garrison at *Fort-Edward*, which Post he held for some Time, and was unavoidably put to some extraordinary Expence for his Table thereby; and praying he may have an Allowance therefor, as his Predecessors in Command at said Fort were allowed their Table Expences.

Memorial of *Wm. Thompson*, Esq;

Read and *Ordered*, That the Consideration of this Memorial, be referred till the next Sitting of the Court.

Ordered, That Mr. *Welles*, Col. *White*, Capt. *Newhall*, Judge *Russell*, and *Benjamin Reed*, Esq; be a Committee to wait on his Honour the Lieut. Governour, and acquaint him, that the House having Nothing of a public Nature lying before them, desire the Court may have a Recess, if his Honour pleases.

Committee for a Recess.

Who

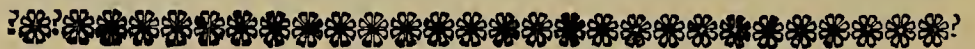
Who returned, that they had waited on his Honour, and delivered the Message.

His Honor's
Adjourn-
ment of the
Court.

Mr. Secretary *Oliver* came down with the following Message from his Honour the Lieut. Governour, *viz.*

Mr. Speaker, His Honour the Lieut. Governour, directs that this Great and General Court or Assembly, be Adjourned to Wednesday the Thirtieth Day of *March* next.

And then Mr. Secretary declared the said Court to be Adjourned to that Time accordingly.



V O T E S

Of the House of Representatives.

Mercurii 30. Die Martii, A. D. 1757.

THE House met and adjourn'd 'till to Morrow Morning ten o'Clock.

Jovis 31. Die Martii, A. D. 1757.

*****N engross'd Bill Intituled, *An Act for the effectual pre-* Bill enacted.
*****venting the Currency of the Bills of Credit of Connecti-
*****cut, New-Hampshire and Rhode-Island, within this
*****Province.

***** Read and Resolved, That the Bill pass to be Enacted.

A Petition of *Sarah Daws* of *Boston*, in the County of *Suffolk*, Petition of
Administratrix on the Estate of *Thomas Daws*, late of said *Boston*, *Sarah Daws*.
deceased, shewing that on the 23d of this Instant, she found in a
Closet of the Deceased, and in the Bottom of a Leather Chair
there, two Pocket-Books belonging to the said Deceased, which
had in them *two Hundred and thirty six Pounds* old Tenor, in Bills
of this Province; that the said *Thomas* dyed the 18th of *March*
1749, very suddenly; that the Petitioner apprehends he had laid
by the said Bills in order to exchange the same, but was prevent-
ed by his sudden Death; she therefore prays the Province Treas-
urer may be directed to exchange the said Bills upon satisfactory
Evidence of the Facts aforementioned.

Read and Ordered, That this Petition, together with the Peti-
tions of *Nathanael Cunningham*, *Josiah Quincy*, Esq; and *Lazarus*
Lebarran, be committed to Mr. *Welles*, Mr. *Witt*, and Col. *Otis*,
to consider and Report thereon.

Mr. Secretary *Oliver* brought down the following Message
from his Honour the Lieut. Governour, viz.

Gentlemen of the Council, and House of Representatives,
S Ince the Adjournment of the Court, I have received Advice from
Capt. Bradbury, that two of the Penobscot Indians have been at the
Fort at St. George's-River; and they have by a Letter to me from
thence, signified the Desire of that Tribe to live in Friendship with us
as formerly.

Message
from his
Honour.

It seems by the Account they give to Capt. Bradbury, that their Numbers are very much lessened by the Small-Pox, which has lately prevailed among them : If those that are left should be willing to come in, and live among us during the War, I am of Opinion that would be the only Way wherein they could be safe, or we secure of their Friendship. I think however that it behoves us in some way or other to avail our selves of their present Temper and Circumstances.

The Secretary will lay before you the Proceedings of the Lieut. Governour and Council, in Consequence of the several Letters which I have received during your Recess, from his Excellency the Earl of Loudoun, Major-General Abercrombie, and Major-General Webb, relative to the Operations of the ensuing Campaign ; and I doubt not you will readily acquiesce in all such Measures as his Majesty's Service render necessary, and afford your Help and Assistance as Occasion may require.

Cambridge, March

S. P H I P S.

31st. 1757.

Read, together with the Papers referred to ; and Ordered, That Col. Otis, Mr. Welles, Col. Gerrish, Mr. Gridley, and Col. Jones, with such as the honourable Board shall join, be a Committee to take that Paragraph respecting the Penobscot Tribe of Indians under Consideration, and Report what they judge proper for this Court to act thereon. Sent up for Concurrence.

Petition of
Enoch Merrill.

A Petition of *Enoch Merrill*, Administrator on the Estate of *John Merrill*, late of *Methuen*, deceased, praying he may be allowed in his said Capacity, to make Sale of the Real Estate of said Deceased, in order to pay his just Debts, the Remainder (if any there be) to be disposed of for the Benefit of the Widow and Children of the said Deceased, for the Reasons mentioned.

Read and Ordered, That Mr. *Flucker*, Mr. *Barker*, and Mr. *Heath*, take this Petition under Consideration, and Report what they judge proper for the House to act thereon.

Petition of
William Morean, Junr

A Petition of *William Morean, Junr.* of *Newton* in the County of *Middlesex*, setting forth, that he is impressed into his Majesty's Service for the Expedition now projecting, that he is very ill, and unable to attend the Service ; therefore prays he may be excused from said Service.

Read and Ordered, That this Petition be dismiss'd.

It being represented to the House, that instead of two Surgeons, and two Surgeon's Mates for the Service of the Forces in the present Expedition, (agreeable to the Establishment at the last Sitting of this Court) it will better answer the Design proposed, and be of greater Service to the Forces, that one Surgeon-General, and three Surgeon's Mates be appointed in Lieu of them :

Vote for
Establishment.

Voted, That Col. *Cotton*, Col. *Otis*, and Mr. *Gibbs* of *Newton*, be a Committee to consider this Motion, and prepare a Establishment accordingly. Also,

Voted, That it be an Instruction to the said Committee, that they consider of a proper Establishment for the General Officer that is appointed to take Care of the said Forces, and Report thereon.

A Petition of *Robert Eastabrooks* of *Concord*, in the County of *Middlesex*, shewing that he was in his Majesty's Service on the late Expedition against *Crown-Point*, that upon his Return home he stop'd at *Saratoga*, and ordered with others to Ground their Arms without the Fort, and a Centry was set over them, that he went into said Fort, and upon his Return to take up his said Gun, it was stole away by the Carelessness of the said Centry; he therefore prays the *four Pounds* stop'd in the Treasury, may be allow'd him.

Petition of
Robt. Eastabrooks.

Read and Ordered, That Capt. *Sprague*, Col. *Otis*, and Col. *White*, be a Committee to take this Petition, together with the Petitions of *John King* of *Plymouth*, *John Stockwell* of *Sutton*, *Ezekiel Jewet* of *Boxford*, *Isaac Harrington Junr.* of *Grafton*, *Jacob Perkins* of *Boxford*, *Samuel Eddy* of *Oxford*, *Moses Leland* of *Sutton*, *David Rowe* of *Glocester*, *John Foster* of *Andover*, *Samuel Partridge* of *Hatfield*, and *Southerish Hebbard*, in Behalf of *Stephen Shumway* of *Oxford*, all of the like Import, under Consideration, and Report thereon respectively.

Order on
this & other
Petitions.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Veneris 1. Die Aprilis, A. D. 1757.

A Petition of *Isaac Allen* of *Glocester*, in the County of *Essex*, setting forth, that his Servant enlisted in the Expedition against *Crown-Point*, under the Command of Capt. *John Whipple* of *Ipswich*, that he proceeded to *Lake-George*, and was one of those who enlisted to stay the Winter at the Fort there, that the said Servant dyed there, that he had a good Gun provided for him by the Petitioner, which cost him *forty Shillings*; that as said Gun has never been returned, he pays an Allowance for the same.

Petition of
Isaac Allen.

Read and Ordered, That this Petition be committed to Capt. *Stevens*, Capt. *Richardson*, and Mr. *James Foster*, to consider and Report thereon.

A Petition of *Joshua Atkins*, *Isaiah Atkins*, and *Barnabas Paine*, Agents for the Town of *Truro*, *Solomon Cooke*, *Thomas Kilburne*, and *Jabez Walker*, Military Officers in *Province-Town*, and *John Conant*, and *Samuel Smith*, Select-Men of said Town, representing the exposed State of the Harbour there, and the Necessity of a Battery there; and praying the Assistance of this Court for that End.

Petition of
Joshua Atkins
&c.

Read and Ordered, That Col. *Gerrish*, Col. *Otis*, and Col. *Quincy*, be a Committee to consider this Affair, and Report what they judge proper for this Court to do thereon.

On a Motion made and seconded, Ordered, That Col. *Otis*, Mr. *Flucker*, Mr. *Russell*, Capt. *Richardson*, and Capt. *Newhall*, be a Committee to enquire into the present State of the Treasury, and Report what further Supply is necessary to be made for the Payment of the Soldiers in the late Expeditions.

On a Motion made and seconded, Ordered, That Mr. *Welles*, Mr. *Witt*, and Mr. *Flucker*, be a Committee to consider and Report a proper Method for the House to come into, with Respect to the Petitions of the Officers and Soldiers in the late Expedition against *Crown-Point*.

Committee
relating to
Petitions.

Petition of
Timothy Bancroft.

A Petition of *Timothy Bancroft*, a Soldier in the Expedition against *Crown-Point* in the Year 1755, shewing that he enlisted in the last Year's Expedition against the same Place, by which he was intitled to half Pay, agreeable to the Order of this Court, which was omitted by his Captain in making up his Muster-Roll ; he therefore prays he may be allowed his half Pay out of the Treasury.

Read and committed to Capt. *Whitney*, *Caleb Cushing*, Esq; and Mr. *John Temple*, to consider and Report thereon. Also that the Petition of *William Pell* of *Malden*, be committed to this Committee.

Petition of
John Davenport.

A Petition of *John Davenport* of *Dorchester*, representing his distressed State by the Loss of a Leg, at the bursting of a great Gun upon a Training Day at *Castle-William*, the last Year ; and praying a Consideration therefor by this Court.

Read and Ordered, That this Petition be dismiss'd.

Petition of
Benj. Whitcomb.

A Petition of *Benjamin Whitcomb*, shewing that he had Captain-Lieutenant's Commission in a Company under Col. *White*, in the late Expedition against *Crown-Point*, that he performed sundry Services (therein mentioned); for which he prays an Allowance.

Read and committed to Col. *Jones*, Mr. *Turner*, and *Thomas Foster*, Esq; to consider and Report thereon.

Committee
relating to
Fire-Arms,
&c.

On a Motion made and seconded, Ordered, That Mr. *Welles*, *Thomas Foster*, Esq; Col. *Marcy*, Capt. *Richardson*, and Capt. *Stevens*, be a Committee to consider and Report what is proper to be done with Respect to the Guns that were in the Possession of Persons who dyed in the late Expedition against *Crown-Point*, and are lost.

Petition of
John McAllister, &c.

A Petition of *John McAllister*, and *Anne* his Wife, of *Westboro'* in the County of *Worcester*, representing their great Difficulties occasioned by the Death of their Son, to whom they had given by Deed one half of their Real Estate ; and praying they may be relieved by this Court, for the Reasons particularly mentioned.

Read and committed to Mr. *Whipple*, Mr. *Paine*, and Capt. *Brown*, to consider and Report thereon.

Petition of
Edward McGowen.

A Petition of *Edward McGowen* of *Boston*, shewing he enlisted into the Service in the late Expedition in the Month of *September* last, under Major *Goldthwait*, and proceeded to *Albany*, was gone two Months ; for which he prays an Allowance.

Read and Ordered, That this Petition be dismiss'd.

Committee
on State of
Eastern and
Western
Frontiers.

On a Motion made and seconded, Ordered, That Col. *Otis*, Col. *Gerrish*, Mr. *Welles*, Capt. *Stevens*, Mr. *Flucker*, Mr. *Johnson*, and Col. *Quincy*, be a Committee to consider the present State of the Eastern and Western Frontiers, and Report what is proper further to be done for their Protection : And that the Petition of *Wiscasset*, be committed to them.

Petition of
Jabez Keep.

A Petition of *Jabez Keep* of *Springfield*, a Soldier in the Expedition against *Crown-Point* in the Year 1755, praying Allowance for a Blanket and Jacket, which he lost at that Time, for the Reasons mentioned.

Read and Ordered, That this Petition be dismiss'd.

Ordered,

Ordered, That a Transfer be made from the Appropriation for Grants, to the Appropriation for Forts and Garrisons, of *Five Hundred Pounds*, in order to enable the Committee appointed to cause necessary Repairs, &c. to be made at *Castle-William*, to proceed in that Service. Order for Transfer.

Sent up for Concurrence.

Post Meridiem.

A Petition of sundry Inhabitants of *Pemaquid*, complaining of the Male Administration of the Commanding Officer at the Fort there ; and praying the Interposition of this Court. Petition of Inhabitants of Pemaquid.

Read and *Ordered*, That this Petition be committed to Mr. *Gibbs* of *Newton*, Mr. *Turner*, and Capt. *Sprague*, to consider and Report thereon.

A Petition of *John Harvey* of *Petersborough*, Administrator on the Estate of *John Peibles* of *Middleton*, deceased, praying Liberty to sell the Real Estate of said Deceased, to pay his just Debts, &c. Petition of John Harvey.

Read and *Ordered*, That this Petition, together with the Petition of *Thomas Gilbert*, Junr. of *Brookfield*, Administrator on the Estate of *Josiah Gilbert*, of said Town, deceased ; and *Mehetable Rice* of *Hardwick*, Administratrix on the Estate of *Jedediah Rice*, of said Town, deceased ; as also the Petition of *John Perry*, and the Petition of *Mary Kenny* of *Sutton*, all of the like Import, be committed to Capt. *Richardson*, Mr. *Paine*, and Mr. *Marsh*, to consider and Report thereon respectively.

A Petition of *John Frye*, of *Sutton*, shewing that he is informed this House have pass'd a Vote, ordering the King's Attorney to prosecute him for defrauding the Government, in making up his Muster-Roll in the Year 1755, as he was Captain in the *Crown-Point* Expedition, that he is sensible there were several Frauds, for which he is truly sorry, and has made Restitution to the Government, by paying the Money into the Treasury ; that he has been several Times in the Service of the Government, and is not conscious to himself that he ever defrauded the Government in the least Article, before this unhappy Affair ; and as he is sensible of his Fault, and humble under it, earnestly begs the Forgiveness of this House, promising Reformation, and a strict Watchfulness over himself for the future ; he therefore prays that the Order pass'd for his Prosecution, may be Re-considered, for the Reasons mentioned. Petition of John Frye.

Read and committed to *Caleb Cushing*, Esq; Capt. *Morey*, and Mr. *Paine*, to consider and Report what may be proper for the House to act thereon

The Committee appointed to take under Consideration the Petition of *Enoch Merrill*, as entered Yesterday, Reported thereon, according to Order. Report on Petition of Enoch Merrill.

Read, and accepted, and thereupon, *Ordered*, That the Petitioner be and he hereby is empowered in his Capacity as Administrator, to make Sale of the Lands and Premises mentioned, for the most the same will fetch, he observing the Directions of the

Law respecting the Sale of Real Estates; and to make and execute a good Deed or Deeds for Conveyance thereof ; the Proceeds of such Sale to be disposed of as follows, viz. one Third of the Income for the Use of the Widow during Life, the Remainder (after Payment of the just Debts) to be distributed among the several Heirs of the Deceased, according to Law ; and after the Death of the Widow, her Dower be likewise divided among the Heirs, provided sufficient Caution be given to the Judge of Probate for said County accordingly. Sent up for Concurrence.

Bill engross'd.

A Bill Intituled, *An Act to prevent the Desertion of Soldiers, during the present War with France, and the Loss of Arms which were sent by his Majesty, or belonging to this Province.*

Pass'd in Council, viz. In Council April 1st. 1757.

Read a first and second Time, and pass'd to be Engross'd.

Sent down for Concurrence.

Read a first Time.

Then the House adjourn'd, 'till to Morrow Morning Ten o'Clock.

Sabbati 2. Die Aprilis, A. D. 1757.

Petition of Peter Boudreau, bro't down.

James Minot, Esq; brought down the Petition of Peter Boudreau, shewing he being formerly an Inhabitant of Nova-Scotia, with his Family, being seven in Number, were ordered to Scituate, where they have endured many Hardships ; they therefore pray the Compassion of this Court, for those and other Reasons mentioned. Pass'd in Council, viz. In Council April 1st. 1757.

Read and Ordered, That Samuel Watts, and William Brattle, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition under Consideration, and Report what they judge proper to be done thereon.

Sent down for Concurrence.

Read and concur'd, and Col. Cotton, Mr. Prentice, and Mr. Humphrys, are joined in the Affair.

Bill refer'd.

A Bill Intituled, *An Act for regulating the Hospital on Rainsford-Island, and further providing in Case of Sickness.*

Read a first Time, and Ordered, That the Bill be read a second Time on Monday next, at three o'Clock Afternoon.

Petition of Sam. Stone, &c.

A Petition of Samuel Stone, and others, Children and Heirs of Dorothy Monk, late of Roxbury, deceased, praying the Incumbrances upon a certain Messuage and Tenament therein described, may be taken off, and that they may be allowed and impowered (with the Assistance of Ralph Holbrook,) to sell the Premises for the Benefit of the said Heirs.

Read and committed to Mr. Flucker, Col. White, and Capt. Davis, to consider and Report thereon.

Report for Supply.

The Committee appointed to consider of some Method to Supply the Treasury, Reported according to Order.

Read, and accepted, and thereupon, Ordered, That a Supply be made of Ten Thousand Pounds, to be laid upon the Year 1758, unless

less a Parlimentary Grant should arrive before that Time, in which Case the Tax to be void : Also,

Ordered, That Mr. *Flucker*, Col. *Otis*, and Mr. *Welles*, be directed to endeavour to borrow said Sum, for one Year at least.

The Committee appointed to consider the Petition of *John Frye*, as entered Yesterday, Reported according to Order. Report on
Petition of
John Frye.

Read and accepted, and thereupon the following Vote passed, *viz.* That inasmuch as the said *John Frye*, hath paid into the Province Treasury the Sum of *twenty eight Pounds*, being so much he defrauded the Government of in making up his Roll : Therefore, *Ordered*, That the said *John Frye* be admitted into the House, and upon his acknowledging his great Offence, and promising Reformation, that he be Repremanded by the Speaker ; Which was done accordingly : And then, *Voted*, That the King's Attorney be directed not to proceed in the Prosecution.

The Committee appointed to take under Consideration the Petition of *Joshua Atkins*, and others, of *Province-Town*, upon *Cape-Cod*, Reported according to Order. Report on
Petition of
Joshua Atkins
&c.

Read, and accepted, and thereupon, *Ordered*, That Mr. *Joshua Atkins*, Major *Zobeth Smith*, and Capt. *Solomon Pepper*, be and they hereby are directed and impowered (with the Captain-General's Order and Leave) to erect a small Battery as soon as may be of six Carriage Guns, in the most suitable Place near the Harbour in *Province-Town*, in order to secure the Navigation frequently at Anchor in said Harbour ; as also to protect the Inhabitants of the Towns of *Truro*, and *Province-Town*. Also,

Voted, That the Captain-General be desired to give Orders to the Commissary-General, to deliver to the said Committee, or their Order, five Cannon of the following Dimensions, *viz.* two nine, two six, and one four Pounder, in Addition to the one already there, with a suitable Quantity of Power and Ball, for the Use of said Cannon. Also,

Voted, That the Sum of *one Hundred and fifty Pounds*, be allowed to be paid out of the public Treasury to said Committee, to enable them to build said Battery and Carriages (they to be accountable) provided the Inhabitants of said Towns, keep and maintain said Battery and Carriages in Repair, at their own Cost and Charge, with a sufficient Number of Men and Provisions ; and when the War with the French ceases, that they return the Cannon and Ammunition that shall remain, into the Commissary-General's Office when required.

Voted also, That the Inhabitants of said Towns of *Province-Town* and *Truro*, be exempted from Impresses so long as the present War continues, and they perform the Duties before-mentioned.

Sent up for Concurrence.

A Petition of *Gideon Henderson* of *Sunderland*, in the County of *Hampshire*, shewing that one *Shadriak Bederthy*, an Apprentice to him, served as a Soldier in the late Expedition against *Cape-Britain*, and dyed there, that the Petitioner never has received any Pay for his Service ; he therefore prays the Consideration of this

Petition of
Gideon Henderson.

[Pay]

this Court thereon, that he may be allowed what is just and reasonable.

Read and *Ordered*, That Capt. *Brown*, Mr. *Heath*, and Capt. *Sprout*, be a Committee to take this Petition under Consideration, and Report what they judge proper to be done thereon.

Report on
Petition of
Inhabitants
of *Pemaquid*.

The Committee to whom was referred the Consideration of the Petition of sundry of the Inhabitants of *Pemaquid*, Reported according to Order.

Read, and accepted, and thereupon, *Voted*, That his Honour the Lieut. Governour, be desired to send for *John North*, the Commanding Officer at *Pemaquid* Fort, to appear on the second Friday of the next *May* Session, to give Answer to the several Complaints against him, in the Petition mentioned, with Respect to his Male Administration ; and that Lieut. *Patrick Rogers*, *Edmund Rand*, *Morgan Jeffery*, and *John McFarland*, be likewise ordered to appear at the Time aforesaid, to support the Allegations mentioned.

Sent up for Concurrence.

Message to
the Board.

Ordered, That Mr. *Foster* go up with a Message to the honourable Board, to enquire whether any Thing would come down this Morning ?

Who returned, that he had delivered the Message.

Message
from the
Board.

William Brattle, Esq; came down from the honourable Board, to inform the House, the Board had determined to adjourn to Monday Morning at ten o'Clock, and desired the House would also adjourn to that Time.

Then the House adjourn'd 'till Monday next, at Ten o'Clock in the Forenoon.





V O T E S

Of the House of Representatives.



Lunæ 4. Die Aprilis, A. D. 1757.

***** Petition of *Samuel Freeman*, and *James Ward*, both of
 ***** *Sturbridge*, in the County of *Worcester*, setting forth, Petition of
 ***** A ***** that the said *Freeman* had a Servant inlisted into the *Samuel Free-*
 ***** *Crown-Point* Expedition, on the first of *October* 1755, man, &c.
 ***** that the said *Ward* inlisted at the same Time into that
 Service, that they were promised their Bounty Money, but have
 never received it ; they therefore pray they may now be allow-
 ed to receive the same.

Read and Ordered, That Col. *White*, Col. *Marcy*, and *Thomas Foster*, Esq; be a Committee to consider, & Report upon this Petition.

A Petition of *Lydia Harvey*, Widow of *Ephraim Harvey*, de- Petition of
 ceased, shewing that her said Husband dyed the last Year in the *Lydia Har-*
 Expedition against *Crown-Point*, that before his Death he deli- vey.
 vered his Gun to the Ensign of his Company, who returned the
 same into the Store at the *Half-Moon* ; she therefore prays four
Pounds for said Gun may not be stop'd in the Treasury.

Read and Ordered, That the Prayer of the Petition be granted ;
 and the Treasurer is accordingly directed in paying the Wages
 of *Ephraim Harvey*, not to make any Deduction for the said
Ephraim's Gun. Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Mr. *Witt*, Mr. Committee
Welles, Col. *White*, Mr. *Bradbury*, and Mr. *Flucker*, be a Commit- relating to
 tee to consider and Report some proper Method for the effectual Fire-Arms.
 Return of the Guns, that shall be delivered to the Officers and
 Soldiers in the present Expedition.

The Committee appointed to consider the Petition of *John Harvey*, Reported thereon. Report on
Petition of
John Harvey.

Read, and accepted, and Ordered, That the Petitioner in his
 Capacity of Administrator, be and he hereby is impowered to
 make Sale of the Lands lying in *Rutland*, (belonging to the De-
 ceased) for the most they will sell for, and to execute a good
 Deed or Deeds in Law for the same, he first observing the Di-
 rections of the Law respecting the Sale of Real Estates, and giv-
 ing Security to the Judge of Probate for the County of *Worcester*,
 to account for the Proceeds thereof.

Sent up for Concurrence.

L I I I I

A

Memorial
of *Sam. Partridge*.

A Memorial of *Samuel Partridge* of *Hatfield*, in the County of *Hampshire*, shewing that his Servant *Silas Brooks*, was a Soldier in the late Expedition against *Crown-Point*, in the Company of which *Thomas Williams*, Esq; was Captain, that the said Servant died before the Dismission of the Forces, and his Gun was returned into the Store there ; he therefore prays no Sum may be stop'd in the Treasury, on Account of said Gun.

Read and committed to Capt. *Sprague*, and others, appointed upon Petitions of the like Import.

Petition of
David Darling, &c.

A Petition of *David Darling*, Quarter-Master of Col. *Gridley's* Regiment, *John Maylem*, Quarter-Master of Col. *Ruggles's* Regiment, and *James Allen*, Quarter-Master of Col. *Plaislead's* Regiment, employed in the last Expedition against *Crown-Point*, shewing that after the Army had met together at *Half-Moon*, it was found necessary for the Preservation of the Stores and Baggage belonging to the Army, that Quarter-Masters should be appointed for that Purpose, that they were appointed by General *Winflow*, and received Commissions accordingly, but are not made up in the Staff-Officer's Roll ; they therefore pray an Allowance for that Service.

Read and Ordered, That this Petition be dismiss'd.

Vote of
Council,
bro't down.

Richard Cutt, Esq; brought down the following Vote of Council,
Viz. In Council *April 4th 1757*.

Ordered, That *John Erving*, and *William Brattle*, Esqrs; with such as the honourable House shall join, be a Committee to consider and Report what is further necessary to be done, to restrain all Merchant Vessels, Fishing Vessels, and others, departing from any Parts of this Province, agreeable to his Excellency the Earl of *Loudoun's* Letter, desiring an Embargo ; and the Committee are directed to sit forthwith. Sent down for Concurrence.

Read and concur'd, and Col. *White*, Col. *Williams*, and Capt. *Epes*, are joined in the Affair.

Petition of
Jacob Foster,
bro't down.

William Brattle, Esq; brought down the Petition of *Jacob Foster*, of *Holliston*, now a Prisoner in his Majesty's Goal in *Cambridge*, praying he may have the Benefit of the Act for Relief of Insolvent Debtors, for the Reasons mentioned : With a Vote of Council thereon. Viz. In Council *April 4th 1757*.

Read and Ordered, That the Prayer of this and the annexed Petition be so far granted, as that *Samuel Danforth*, Esq; together with any other Justice of the Peace for the County of *Middlesex*, be and hereby are empowered to proceed, with Regard to the Discharge of the Petitioner, and in Consequence of the Notification already given, in like Manner as the said *Samuel Danforth*, together with *Francis Foxcroft*, Esq; who is unable to act by Reason of Sickness, might have done, had they both been present.

Sent down for Concurrence. Read and concur'd.

Petition of
James Penniman, &c.

A Petition of *James Penniman*, and *Samuel Niles*, Junr. of *Brain-tree*, Executors to the last Will and Testament of *Nehemiah Hayden*, late of said Town, deceased, praying Liberty to sell twelve Acres of Land belonging to the two Children of the Deceased, for their

their comfortable Support. Also a Petition of *Meriam Streeter*, of *Sturbridge*, Widow, praying Liberty to sell Land, for the Reasons mentioned.

Read and *Ordered*, That these Petitions be committed to Col. *White*, Capt. *Morey*, and Mr. *Humphreys*, to consider and Report thereon respectively.

Ordered, That Capt. *Richardson*, Mr. *James Foster*, Capt. *Davis*, Col. *Gerrish*, and Mr. *Gibbs* of *Newton*, be a Committee to take under Consideration the Petitions of the sick Soldiers in the Expedition against *Crown-Point* the last Year, and Report thereon respectively. Committee relating to sick Soldiers.

A Petition of *George Godfrey*, and *John Adams*, Assessors of the Town of *Taunton*, praying this Court would confirm the Assessment made in the Year 1756, the Defects therein mentioned notwithstanding. Petition of *George Godfrey*, &c.

Read and committed to Mr. *Bradbury*, Col. *White*, and Capt. *Brown*, to consider and Report thereon.

A Petition of *Robert Cooke*, praying he may have an Allowance out of the Treasury, for Service which (he suggests) he performed in the Expedition the last Year. Petition of *Robert Cooke*.

Read and *Ordered*, That this Petition be dismiss'd.

Post Meridiem.

A Memorial of *Jonathan Meacham*, of *New-Salem*, shewing that he with his Brother *William*, were in the first Expedition against *Crown-Point*, and found their own Guns, in Consequence of the additional Bounty of two Dollars promised to such as should enlist into said Service, and find their own Arms; which Sum they neither of them received, they not having had an Opportunity of presenting their said Arms to the Commissary of the Musters, appointed for the Regiment they belonged to; therefore praying they may be allowed the said Sum out of the Province Treasury. Memorial of *Jonathan Meacham*.

Read and committed to Mr. *Paine*, Mr. *Barnard*, and Mr. *Bonney*, to consider and Report thereon.

The Committee appointed on the Petition of *Robert Eastabrooks*, and other Petitions of the like Import, Reported according to Order, on said Petition. Report on sundry Petitions.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay the Petitioner his full Wages.

Sent up for Concurrence.

The said Committee Reported on the Petition of *Moses Leland*. *Moses Leland*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to allow the Petitioner his full Wages.

Sent up for Concurrence.

The said Committee Reported on the Petition of *David Rowe*. *David Rowe*.

Read, and accepted, and *Ordered*, That the four Pounds stop'd on Account of the Gun, be paid out of the public Treasury, to the Petitioner.

Sent up for Concurrence.

The said Committee Reported on the Petition of *John King*. *John King*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay the Petitioner his full Wages.

Sent up for Concurrence.

The

Isaac Harrington.

The said Committee Reported on the Petition of *Isaac Harrington.*

Read, and accepted, and *Ordered*, That the Treasurer be, and hereby is, directed to pay the Petitioner his full Wages.

Sent up for Concurrence.

Southerish Hebbard.

The said Committee Reported on the Certificate of *Southerish Hebbard.*

Read, and accepted, and *Ordered*, That the Treasurer be, and hereby is, directed to pay to the Person who has a Right to receive the same, the full Wages which were due to the within-named *Stephen Shumway*, deceased.

Sent up for Concurrence.

Samuel Eddy.

The said Committee Reported on the Petition of *Samuel Eddy.*

Read, and accepted, and *Ordered*, That the Treasurer be, and hereby is, directed to pay the Petitioner the full Wages that were due to his said Son *Jonathan Eddy*, deceased.

Sent up for Concurrence.

John Stockwell.

The said Committe Reported on the Petition of *John Stockwell.*

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury, to Capt. *Henry King*, for the Use of the Petitioner, the Sum of *thirty seven Shillings and four Pence*, in Consideration of the Gun lost by his Son whilst in the Service on the last Expedition against *Crown-Point*.

Sent up for Concurrence.

Jacob Perkins

The said Committee also Reported on the Petition of *Jacob Perkins.*

Read, and accepted, and *Ordered*, That the Petition be dismiss'd accordingly.

Report on
Petition of
Sam. Cooke.

The Committee appointed on the Petition of *Samuel Cooke*, Reported thereon.

Read, and accepted, and *Ordered*, That the Petitioner be paid out of the public Treasury, the Sum of *thirty one Shillings and five Pence*, in Consideration of the Service within-mentioned.

Sent up for Concurrence.

Report on
Petition of
Sam. Stone.

The Committee appointed on the Petition of *Samuel Stone*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted; and that the Children of *Dorothy Monk*, deceased, be, and they hereby are, authorized and impowered to join with *Ralph Holbrook*, in the Sale of the Messuage and Premisses within-mentioned, to make and execute a sufficient Deed or Deeds thereof, which when Recorded in the Register's Office of the County in which the Premisses are, shall be valid to all Intents and Purposes in the Law.

Sent up for Concurrence.

Petition of
Sam. Cooke.

A Petition of *Samuel Cooke* of *Simsbury*, formerly of *Hopkinton*, shewing he was a Soldier in the late Expedition against *Cape-Breton*, in Capt. *Peter Prescott's* Company, that before he had an Opportunity to receive his Wages, he removed to *Connecticut*; he therefore prays he may be now allowed to receive his Wages, for the Reasons mentioned.

Read

Read and committed to Mr. *Russell*, Mr. *Welles*, and Mr. *Witt*, to consider and Report thereon.

Ordered, That the Committee of War be directed to furnish the Forces raised for the present Expedition, with necessary Arms and Bayonets, and that they compleat Tents for Eighteen Hundred Men, as soon as may be. Sent up for Concurrence.

John Otis, Esq; brought down the Report of a Committee of both Houses : Which is as follows, *viz.*

The Committee beg Leave to Report, that an Embargo be laid on all Ships and Vessels (Fishing Vessels included) within the several Ports of this Province, to the 20th of *April* Current ; and that a Bill be brought in accordingly.

Pas'd in Council, *viz.* In Council *April* 4th 1757.

Read and *Ordered*, That this Report be accepted.

Sent down for Concurrence.

Read and concur'd, and the Committee are directed to bring in a Bill accordingly.

A Petition of sundry Inhabitants at a Place called *Pontoosuck*, in the County of *Hampshire*, praying the Protection of the Court in this Time of War, for the Reasons mentioned.

Read and committed to the Gentlemen appointed to consider the State of the Frontiers.

The Committee appointed on the Petition of *Mehetable Rice*, Reported thereon, according to Order.

Read, and accepted, and thereupon, *Ordered*, That the Petitioner, in her Capacity as Administratrix, be, and she hereby is, impowered to make Sale of the Deceased's Estate, lying in *Hardwick*, for the most the same will fetch, and to make and execute a good Deed or Deeds for the same, the Proceeds to be applied as follows, *viz.* The Income of one Third thereof, to be for the Use of the Widow of the Deceased, during her Life, and after the just Debts are paid, that the remaining two Thirds be divided among the proper Heirs ; and after the Death of the Widow, that the said Third also be divided among the Heirs, provided sufficient Caution be first given to the Judge of Probate for the County of *Worcester*, for the Performance of the above-mentioned Order.

Sent up for Concurrence.

The Committee appointed on the Petition of *Samuel Stone*, and others, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer thereof be granted, and that the Children of *Dorothy Monk*, deceased, be, and they hereby are, authorized and impowered to join with *Ralph Holbrook*, in the Sale of the Messuage and Premises therein mentioned, and to execute a sufficient Deed or Deeds thereof, which when Recorded in the Register's Office of the County in which the Premises are, shall be valid to all Intents and Purposes in the Law.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Martis 5. Die Aprilis, A. D. 1757.

Report on
Petition of
Gideon Hen-
derson.

THE Committee appointed on the Petition of *Gideon Henderson*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *two Pounds four Shillings and one Penny*, being the Ballance due on the Muster-Roll of Capt. *John Hubbard*, for his said Servant's Wages, and the further Sum of *twenty six Shillings and eight Pence*, for the Loss of his Gun, as mentioned.

Sent up for Concurrence.

Bill read.

A Bill Intituled, *An Act for regulating the Hospital on Rainsford-Island, and further providing in Case of Sickness.*

Read a second Time.

Petition of
Sam. Judd.

A Petition of *Samuel Judd*, Administrator of the Estate of *Asabel Judd*, late of *South-Hadley*, in the County of *Hampshire*, deceased, setting forth, that the said *Asabel* died seized of a Tract of Land in said Town, with the Frame of a new House covered, but not so far finished as to be tenantable, so that the Income thereof will be very inconsiderable, that the Debts already found due, amount to near the apprized Value of the Deceased's Personal Estate; and praying that he may be empowered to make Sale of the said Real Estate, to enable the Widow of the Deceased, to support her self and Family.

Read and *Ordered*, That *Mr. Prentice*, Capt. *Hutchins*, and *Mr. Pierce*, be a Committee to take this Petition under Consideration, and Report thereon.

Memorial
of Nathaniel
Dowse.

A Memorial of *Nathanael Dowse*, Commander of the Province Snow, *Prince of Wales*, shewing that he has not been able hitherto to enlist a sufficient Number of Men for Manning said Vessel; and praying that he may be allowed to Impress a Number of Seamen to make up his Compliment, or otherwise to raise them, as shall be judged proper.

Committee
for Establish-
ment.

Read and *Ordered*, That the Memorial be dismiss'd. And

On a Motion made and seconded, *Ordered*, That *Mr. Tasfer*, *Mr. Flucker*, and *Richard Reed*, Esq; with such as the honourable Board shall join, be a Committee to take under Consideration some suitable Method for Manning the Province Ship and Snow, designed to Guard the Coast, and what Number of Men they judge proper the Establishment for each of said Vessels be made for, and Report.

Sent up for Concurrence.

Report on
Suffolk Ex-
cise bro't
down.

John Erving, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on spirituous Liquors in the County of *Suffolk*. Signed *John Erving*, per Order.

In Council April 2d. 1757. Read and sent down.

Read and *Ordered*, That this Report be accepted, and that there be allowed and paid out of the public Treasury to the said Committee, the Sum of *three Pounds six Shillings and eight Pence*, in Discharge of their Account of Time and Expences exhibited.

Sent up for Concurrence.

William

William Brattle, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on spirituous Liquors in the County of *Middlesex*. Report on
Middlesex
Excise bro't
down.

Signed *William Brattle*, per Order.

In Council *April* 1st. 1757. Read and sent down.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *two Pounds four Shillings*, in Discharge of their Account of Time and Expences exhibited. Sent up for Concurrence.

The Committee appointed on the Petition of *Thomas Gilbert*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the Petitioner (in his said Capacity) be, and he hereby is, impowered to make Sale of the said Deceased's Real Estate lying in *Brookfield*, for the most the same will fetch, and to pass and execute a good Deed or Deeds in the Law for conveying the same, he observing the Directions of the Law relating to the Sale of Real Estates by Executors and Administrators, and the Proceeds thereof to be applied as follows, *viz.* The Income of one Third thereof to be for the Use of the said Deceased's Widow, and after the Debts are paid, the other two Thirds to be divided among the proper and legal Heirs of said Deceased, and at the Death of the Widow, the said Third be also divided among the proper Heirs of said Deceased, that may then be; and that sufficient Caution be given to the Judge of Probate for the County of *Worcester*, accordingly. Report on
Petition of
Thomas Gilbert.

Sent up for Concurrence.

The Committee appointed on the Petition of *David Cook*, and *Lewis Diesb*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner *David Cook*, the Sum of *twenty one Shillings & nine Pence*, and to the Petitioner *Lewis Diesb*, the Sum of *thirty four Shillings and three Pence*, in Consideration of their Wages being made up so much short, in the Muster-Roll of the Company they belonged to. Report on
Petition of
David Cook,
&c.

Sent up for Concurrence.

The Committee appointed on the Petition of *Meriam Streeter*, Reported verbally, that they are informed the Petitioner is now dead, so that Nothing can be done thereon: And

Ordered, That the Person who presented the Petition, have Leave to withdraw the same. Report and
Order on
Petition of
Meri. Streeter.

The Committee appointed on the Petition of *Samuel Freeman*, and *James Ward*, Reported thereon, according to Order.

Read, and not accepted; and *Ordered*, That the Report be Re-committed for Enquiry into the Facts set forth. Report on
Petition of
Samuel Freeman, &c.

A Petition of *Morgan Caffery*, Inhabitant of a Place called *Pemaquid*, setting forth, that he has been denied Shelter in the Fort built there, by Capt. *North*, the Commanding Officer of said Port, or even Liberty to build a Room within the Walls thereof, to Lodge in; and praying that he and the other Inhabitants may be allowed Shelter in said Fort, at this Time of Danger from the Indian Enemy. Petition of
Morgan Caffery.

Read

Read and *Ordered*, That this Petition be committed to Col. *Lawrence*, Capt. *Newhall*, and Mr. *Gibbs* of *Newton*, to consider and Report thereon.

Petition of
Moses Emerson.

A Petition of *Moses Emerson*, Commissary of the Province Stores at *Albany*, in the late Expeditions against *Crown-Point*, setting forth his constant Attendance upon the Duties incumbent on him for two Years last past, and the great Difficulties accompanying the same, without any Perquisites which other Commissaries have usually received ; and praying a suitable Allowance may be made him for his said Services, agreeable to what he was encouraged to expect when he at first entered therein.

Read and *Ordered*, That Mr. *Turner*, Capt. *Livermore*, and Mr. *Lyman*, be a Committee to consider this Petition, and Report thereon.

Petition of
Hezekiah Smith.

A Petition *Hezekiah Smith*, Lieutenant of a Company in the late Expedition against *Crown-Point*, under the Command of Capt. *Moses Porter*, late of *Hadley*, deceased, praying in their Behalf that they may be allowed their back Allowance which they have not been able to obtain from Mr. *Burt*, the Commissary of the Regiment they belonged to.

Read and *Ordered*, That this Petition be committed to Mr. *Hunt*, Capt. *Sprout*, and Mr. *Humphry*, to consider and Report thereon.

Message
from the
Board.

Thomas Hutchinson, Esq; came down with a Message from the honourable Board, to acquaint the House, that Application was made some Time since to the Lieut. Governour and Council, that the Province Snow might be ordered to Convoy the Transports which were taken up for his Majesty's Service, by Direction from his Excellency the Earl of *Loudoun*, to *New-York* ; and this Day the same has been renewed to the Board, by the Commanding Officer of said Vessel, who informed them the Transports were very near ready to sail, but that he has not yet got his Compliment of Men ; that thereupon the following Vote passed the Board, which he laid on the Table, and then withdrew. *Viz.* In Council *April 5th 1757*.

Ordered, That the Sheriff of the County of *Suffolk*, be, and hereby is, impowered and directed to impress Thirty Seamen for the Manning of the Snow *Prince of Wales*, *Nathanael Dowse*, Commander, in Order to her proceeding upon her intended Cruize, as soon as may be.

Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
George Godfrey, &c.

The Committee appointed on the Petition of *George Godfrey*, and *John Adam*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the Tax mentioned for the Year 1756, be, and hereby is, confirmed and established (any pretended Mistake therein mentioned notwithstanding) ; and that the Constables to whom the said Tax was committed to collect, be, and they hereby are, fully authorized and impowered to collect the same.

Sent up for Concurrence.

The Committee appointed on the Petition of *Mary Kenney*, Reported thereon.

Read

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Petitioner (in her said Capacity of Administratrix) be, and she hereby is, impowered (upon her receiving the Money due on the Contract made by her said Husband,) to pass and execute a good Deed of Sale of the Lands mentioned in the said Petition, agreeable to the Contract and Condition of the Bond given by the said Deceased in his Life Time, to the said *Israel Richards*, she to be accountable to the Judge of Probate for the County of *Worcester*, for the Money she shall receive therefor.

Report on
Petition of
*Mary Ken-
ney.*

Sent up for Concurrence.

The Committee appointed on the Petition of *Jonathan Meachum*, Reported thereon.

Report on
Petition of
*Jonathan
Meachum.*

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury, to *Israel Williams*, Esq; for the Use of the Petitioner, the Sum of *twenty four Shillings*, for the Use of the two Guns mentioned, in the Expedition against *Crown-Point* in 1755.

Sent up for Concurrence.

James Minot, Esq; brought down a Bill Intituled, *An Act for further regulating the Proceedings of the Courts of Probate within this Province.*

Order on a
Bill relating
to the Courts
of Probate.

Pass'd in Council, viz. In Council *April* 2d. 1757.

Read a first and second Time, and pass'd to be Engross'd.

Sent down for Concurrence.

Read a first Time ; and

On a Motion made and seconded, That the Engross'd Bill pass'd the last Sitting of the Court and referred, should be taken under Consideration : The Question was put, *Whether it be the Mind of the House to give the said Engross'd Bill a Reading ?*

It pass'd in the Negative. And

Ordered, That the Bill brought down from the honourable Board, have a second Reading at four o'Clock Afternoon.

A Memorial of *Benjamin Pratt*, Esq; and others, in Behalf of the Inhabitants of the Town of *Boston*, setting forth, that by Reason of the Inability of many of their Inhabitants to pay their Proportion of the heavy Taxes assessed on them under the present decayed State of their Trade, the Assessors of said Town have been obliged to make sundry Abatements, for two Years past, to the Amount of £.3410, but that the Fund appropriated to make good their Abatements, has been by unforeseen Contingencies exhausted, so that they are unable to pay the Deficiencies occasioned thereby, without a new Tax ; and praying that they may be legally impowered to levy a Tax for that Purpose, & that they may be indulged so far as not to be obliged to pay in the said Sum into the Treasury, till a new Valuation of Estates shall be taken, and said Town's Proportion of Taxes for the present Year finally adjusted.

Memorial of
Benj. Pratt,
Esq; and
others.

Read and *Ordered*, That *Col. Hale*, *Col. White*, *James Russell*, Esq; *Col. Lawrence*, and *Mr. Lyman*, be a Committee to take this Memorial under Consideration, and Report what they judge proper for this Court to do thereon.

Petition of
Joshua Walker.

A Petition of *Joshua Walker*, Administrator of the Estate of Capt. *John Reed*, late of *Woburn*, in the County of *Middlesex*, deceased, shewing that the Debts due from the Deceased, greatly exceed the Personal Estate left by him, and all the Real Estate the Petitioner has had Authority to sell ; and praying Liberty to dispose of the Remainder of the Real Estate set off to the Widow as her Dower, and what is held by *Ralph Reed* for Life, in order to discharge said Debts, as far as the Produce thereof will go, there being no Probability that there will be finally left any Estate to divide among the Deceased's Children.

Read and Ordered, That Col. *Williams*, Capt. *Thomas*, and Capt. *Howard*, be a Committee to take this Petition under Consideration, and Report thereon.

Post Meridiem.

Petition of
Amaziah Delano.

A Petition of *Amaziah Delano* of *Duxborough*, in the County of *Plymouth*, praying an Allowance of the Expence in bringing Home his Son *Zenas Delano*, who was taken sick whilst in the Service on the late Expedition against *Crown-Point*, and in Discharge of the Doctor's Bill, who attended him in his said Sickness, according to the Account exhibited.

Read and Ordered, That this Petition be committed to Capt. *Rhichardson*, and others, appointed on Petitions from sick Soldiers on the late Expedition against *Crown-Point*, to consider and Report thereon. Also,

Voted, That Petitions of the like Import be committed to said Committee, as they shall be brought into the House, without being read.

Order relating to Fire-Arms.

Ordered, That the Committee appointed to take under Consideration what may be proper to be done with Regard to the Arms received by Soldiers, who died whilst on the late Expedition against *Crown-Point*, be directed to sit forthwith, and Report as soon as may be.

Bills read & Order thereon.

A Bill Intituled, *An Act to prevent the Desertion of Soldiers, during the present War with France, and the Loss of Arms, whether lent by his Majesty, or belonging to this Province.*

Read a second Time, and Ordered, That the Bill be committed to Col. *Otis*, Col. *Hale*, Mr. *Gridley*, Col. *White*, and Col. *Williams*, for the Amendments proposed ; and that the Committee consider what may be proper to be done with Regard to the People called *Quakers*, relative to Military Duties, or what they shall judge Equivalent, and to bring in a Clause accordingly.

A Bill Intituled, *An Act for further regulating the Proceedings of the Courts of Probate within the Province.*

Read a second Time, and Ordered, That Mr. *Welles*, Mr. *Frye*, Col. *Lawrence*, Col. *Worthington*, Capt. *Richardson*, Col. *Bradford*, Col. *Otis*, Col. *White*, and Mr. *Bradbury*, be a Committee to take this Bill under Consideration, and to bring in a Paragraph obliging the several Judges of Probate to hold their Courts in more Places than one in their respective Counties.

A Memorial of *Moses Deshon*, as entered the 25th of *February* last, read again ; and *Ordered*, That Mr. *Flucker*, Capt. *Thomas*, and Col. *Miller*, be a Committee to take the same under Consideration, and Report thereon.

Order on
Memorial
of *Moses De-*
shon, Esq;

A Petition of *Samuel Blanchard*, and *David Blanchard*, Administrators of the Estate of *John Blanchard*, late of *Billerica*, deceased, shewing that they represented the Estate of the Deceased, Insolvent, and obtained Leave of the Superiour Court to sell Part of his Real Estate only, thro' some Mistake in their Petition, which will by no Means be sufficient to pay the Debts due thereon ; and praying that they may have Liberty to sell the whole of two Thirds of the same, the Produce thereof to be applied to discharge the said Debts.

Petition of
Sam. Blanch-
chard, &c.

[Administrators]

Read and *Ordered*, That Col. *Otis*, Mr. *Humphry*, and Capt. *Newhall*, be a Committee to take this Petition under Consideration, and Report thereon.

The Committee appointed on the Petition of *Samuel Judd*, Reported thereon.

Report on
Petition of
Sam. Judd.

Read, and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner (in his said Capacity of Administrator,) be, and hereby is, impowered to make Sale of the Real Estate of the said *Asahel Judd*, lying in *South-Hadley*, to the highest Bidder, and pass and execute a good and authentick Deed or Deeds in the Law for conveying the same, he observing the Directions of the Law relating to the Sale of Real Estates by Executors and Administrators, and the Proceeds thereof to be applied to the best Advantage, for the Use of the Widow and Children of the said *Asahel*, viz. The Widow to have one Third Part of the Improvement of the Money arising by the Sale of the said Real Estate during her natural Life, the other two Thirds thereof to be improved at Interest for the Use of the Children, till they shall come of Age ; and at the Decease of the said Widow, the Third improved by her, or what she shall leave, shall be to the Use of the Children ; and that the Petitioner give sufficient Caution to the Judge of Probate for the County of *Hampshire*, for the faithful Performance hereof.

Sent up for Concurrence.

A Petition of *John Fiske*, as entered the 13th of *June* last, and afterwards referred, read again ; and

Ordered, That Mr. *Paine*, Mr. *Lyman*, and *Richard Reed*, Esq; be a Committee to take the same under Consideration, and Report what they judge proper for this Court to do thereon.

Order on
Petition of
John Fiske.

A Petition of *Elisba Cumings* of *Topsfield*, in the County of *Essex*, setting forth, that he received an Ensign's Commission on the last Expedition against *Crown-Point*, and proceeded and continued in the Service till the 17th of *September* last, when (by the Advice of his Physician) he returned home, but in so bad a State of Health, that for two Months he was unable to do any Business ; and praying that he may be allowed Wages during the Time he was

Petition of
Elisba Cum-
ings.

in

in the Service, his not having Leave from the General to return home, notwithstanding.

Read and *Ordered*, That this Petition be committed to Capt. *Richardson*, and others, appointed on Petitions from sick Soldiers, to consider and Report thereon.

Then the House adjourn'd, 'till to Morrow Morning Ten o'Clock.

Mercurii 6. Die Aprilis, A. D. 1757.

Petition of
Tho. Abbot.

A Petition of *Thomas Abbot* of *Andover*, in the County of *Essex*, shewing that his Son who was a Soldier in the last Expedition against *Crown-Point*, being on a Scout, was either killed or captivated ; and praying that he may be allowed to receive his full Wages, his Arms not being returned notwithstanding.

Read and *Ordered*, That this Petition be committed to Capt. *Sprague*, and others, appointed on Petitions of the like Import, to consider and Report thereon.

Petition of
Mary Faulk-
ner.

A Petition of *Mary Faulkner*, Administratrix of the Estate of her Husband *Abiel Faulkner*, late of *Andover*, in the County of *Essex*, deceased, setting forth, that she is unable to pay the Debts due from the said Deceased, without selling Part of the Real Estate he died seized of, and praying she may be authorized to dispose of some Pasture Land, and the Improvement of some Wood Land lying in said Town, the Produce thereof to be applied to the discharging said Debts.

[the]

Read and committed to Mr. *Morey*, *Jacob Cushing*, Esq; and Mr. *Jonathan Foster*, to consider and Report thereon.

Order relating to Sale
of Boats. *It being representing to the House, that there are four Canoes left by the French Neutrals (who deserted from the Southern Governments) at Sandwich, which are in Danger of being useless, if not soon disposed of :*

Therefore,

Voted, That *Roland Cotton*, Esq; be directed to sell said Boats at public Vendue, for the most they will sell for, and after the necessary Charges due to several Persons who have had the Care of them are deducted, that he be accountable to this Court for the Overplus.

Sent up for Concurrence.

Treasurer
directed.

On a Motion made and seconded, *Voted*, That the Treasurer be, and hereby is, directed in paying off the Wages of *Elijah Ingraham*, not to make any Stoppage for the said *Elijah's* Gun, inasmuch as it was returned into the Stores at Fort *William-Henry* in December last, by Ensign *Samuel Williams*.

Sent up for Concurrence.

Petition of
Daniel Epes,
Junr. Esq;

A Petition of *Daniel Epes*, Junr. of *Danvers*, in the County of *Essex*, Esq; shewing that by Virtue of a Warrant from *Ichabod Plaisstead*, Esq; he impressed (among others) a Gun for one *Charles Dwinell*, a Soldier in the Expedition against *Crown-Point* in 1755, apprizd at *thirty two Shillings*, which was returned by him into the Commissary-General's Office, but is not now to be found there ; and praying the said Sum may be allowed out of the Province Treasury, for the Owner of said Gun.

Read

Read and *Ordered*, That the Prayer of this Petition be granted ; and that there be allowed and paid out of the public Treasury to the Petitioner, for the Use of the Owner of the Gun mentioned, the Sum of *thirty two Shillings* accordingly.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *John Fiske*, Reported thereon, verbally ; that the Petition be dismiss'd. Report on Petition of John Fiske.

Read and not accepted, and *Ordered*, That the Petition lie on the Table.

John Hill, Esq; brought down a Bill Intituled, *An Act laying an Embargo upon Ships and other Vessels in this Province*. Bill for an Embargo bro't down.

Pass'd in Council, viz. In Council *April 6th 1757*.

This Bill having been read a first and second Time, pass'd to be Engross'd. Sent down for Concurrence.

Read a first, second and third Time, and pass'd a Concurrence to be Engross'd, with the Amendment at A.

Sent up for Concurrence.

The Committee appointed on the Petition of *Benjamin Whetcomb*, Reported thereon. Report and Vote on Petition of Benj. Whetcomb.

Read and accepted ; and

Whereas it appears to this Court, that the Petitioner had a first Lieutenant's Commission in Lieut. Colonel White's Company, but not being satisfied with Lieutenant's Pay, he released one Josiah Dival, of Lancaster, (an enlisted Soldier) from the Service, and took of him nine Pounds six Shillings and eight Pence, to add to his own Pay, to make it equal with a Captain's Pay : Therefore,

Voted, That for his said unwarrantable Proceedings, the Petitioner be allowed Nothing for any Services mentioned ; and that he be, and hereby is, directed and ordered to pay into the Province Treasury, the Money which he so received of the said Soldier ; and that the Petition be dismiss'd.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Mr. *Gridley*, Col. *Hale*, Judge *Russell*, Col. *Williams*, Mr. *Paine*, Col. *Clap*, Col. *Otis*, Col. *White*, and Mr. *Bradbury*, with such as the honourable Board shall join, be a Committee to take under Consideration, what they judge the most suitable and convenient Times for the Sitting of the several Courts of Justice through the Province, and Report. Committee relating to holding Courts.

Sent up for Concurrence.

The Committee appointed on the Petition of *Hezekiah Smith*, Reported thereon. Report on Petition of Hezekiah Smith.

Read, and not accepted ; and on a Motion made and seconded, *Voted*, That the Person who presented the said Petition, have Leave to withdraw the same.

John Chandler, Esq; came down with a Message from the honourable Board, to enquire whether the House have passed on the Message from the Board.

[Service]

Bill relating to the deserting of Soldiers from his Majesty's Service, and if not, to desire they would take it under Consideration, as the Board apprehend it a Matter of considerable Importance that something of that Nature be speedily passed ?

Thereupon, *Ordered*, That the Committee to whose Consideration the said Bill was referred, be directed to sit forthwith, and Report as soon as may be.

It being represented to the House, that Major-General Winflow was desirous of being heard on the Subject Matter of the Memorial he presented to the Court, as entered the 18th of February last, before the House :

Thereupon,

Voted, That he be heard on the Floor thereon, at ten o'Clock to Morrow Morning.

Post Meridiem.

Message to
the Board.

Ordered, That *James Russell*, Esq; go up with a Message to the honourable Board, to enquire whether the Commissaries employed in the late Expedition against *Crown-Point*, have laid their Accompts before them ?

Who returned, that he had delivered the Message.

Petition of
Daniel Gre-
gory.

A Petition of *Daniel Gregory*, Guardian to the Minor Daughters of *Uriah Drury*, late of *Framingham*, in the County of *Middlesex*, deceased, praying that he may be impowered to sell about nine Acres of Land belonging to one of said Minors, in Order to defrey the Expence he has been at in dividing and settling said Estate, the Overplus to be improved for her Benefit.

Read and *Ordered*, That *Col. Clap*, *Capt. Newhall*, and *Mr. Morey*, be a Committee to take this Petition under Consideration, and Report thereon.

Message
from the
Board.

William Brattle, Esq; came down with a Message from the honourable Board, to acquaint the House, that some of the Commissaries in the late *Crown-Point* Expedition had presented their Accounts, but none of them had been passed on by the Board.

Message to
the Board.

Ordered, That *Mr. Hunt* go up with a Message to the honourable Board, to desire the Engros'd Bill for erecting a Place called *Narragansett* Numb. 2. into a Township, may be sent down.

Who returned, that he had delivered the Message.

Richard Cutt, Esq; brought down the said Bill accordingly : Which was read again ; and the same being taken under Consideration by the House,

Message to
the Board.

Ordered, That *Col. Clap* go up with a Message to the honourable Board, to propose an Amendment thereon.

Who returned, that he had delivered the Message.

Petition of
Judah Clarke.

A Petition of *Judah Clarke* of *Harvard*, in the County of *Worcester*, praying a further Allowance may be made him under his distressing Circumstances, as he is rendered unable to Labour for his Support, having lost the Use of one of his Arms, by the Wound he received in the Battle at *Lake-George*, in 1755.

Read

Read and *Ordered*, That Capt. *Livermore*, Col. *Lawrence*, and Mr. *Lancaster*, be a Committee to take this Petition under Consideration, and Report what they judge proper for this Court to do thereon.

The Committee appointed on the Bill Intituled, *An Act to prevent the Desertion of Soldiers, during the present War with France, and the Loss of Arms, whether lent by his Majesty, or belonging to this Province*: Reported the Amendments thereon; which were read, and severally accepted by the House: And thereupon the said Bill was read a third Time, and pass'd a Concurrence to be Engros'd with the Amendments at *a, b, c, d, e, f, g, h, i, k, & l*.

Report on
a Bill.

Sent up for Concurrence.

A Petition of *Elizabeth Phillips* of *Malden*, in the County of *Middlesex*, setting forth, that her late Husband *James Phillips*, entered into the Service on the late *Crown-Point* Expedition, and died at *Lake-George*, by Means whereof his Arms were not returned; and praying that she may be allowed to draw the Whole of the Wages due to her said Husband, without any Deduction on Account thereof.

Petition of
Eliz. Phillips.

Read and *Ordered*, That this Petition be committed to Capt. *Sprague*, and others, the Committee appointed on the Petition of *Robert Eastabrooks*, and other Petitions of the like Import, to consider and Report thereon.

A Petition of Capt. *Edmund Bemis*, praying that he may be allowed to Rectify a Mistake made in his Muster-Roll for the late *Crown-Point* Expedition, relating to one *Benjamin Wood*, who found his own Gun, and yet stands charged in said Roll for a Gun not returned.

Petition of
Capt. *Ed-ward Bemis*.

Read and *Ordered*, That this Petition be committed to the same Committee, to consider and Report thereon.

A Petition of *Eunice Thomas* of *Reading*, in the County of *Middlesex*, shewing that her late Husband *Edward Thomas*, was a Soldier in the last Expedition against *Crown-Point*, and died whilst in said Service at a Place called the *Half-Moon*, and none of the Commission Officers of his Company present, by Means whereof his Gun, Cloathing and Blanket, are missing; and praying that the Deduction from his Wages on Account of the said Gun, may be allowed her; as also what shall be judged reasonable for the other Articles mentioned.

Petition of
Eunice Thomas.

Read and committed to the same Committee, to consider and Report thereon.

On a Motion made and seconded, *Ordered*, That Col. *Worthington*, be directed to prosecute all Persons in the County of *Hampshire*, who are possessed of Arms belonging to his Majesty, or to this Province, that he shall come to the Knowledge of, agreeable to the Act passed in the 27th Year of his present Majesty's Reign, Intituled *An Act for Levying Soldiers, &c.*

Col. *Wor-thington*, directed.

Sent up for Concurrence.

Ordered, That *Timothy Paine*, Esq; be directed to prosecute all Persons in the County of *Worcester*, who are possessed of Arms belonging

Timothy Paine Esq; directed.

belonging to his Majesty, or to this Province, that he shall come to the Knowledge of, agreeable to the Law made and passed in the 27th Year of his present Majesty's Reign, Intituled *An Act for Levying Soldiers, &c.* Sent up for Concurrence. Also,

Order relating to Fire-Arms.

Ordered, That the several Gentlemen who were directed to receive and transmit to the Commissary-General the Arms belonging to the Province in their respective Counties, by an Order passed this Court the 27th of *January* last, be also directed to prosecute all Persons within said Limits, that they may come to the Knowledge of, who are still possessed of any of said Arms, or of those belonging to his Majesty, and take Care that the Law passed in the 27th Year of his Majesty's Reign, Intituled *An Act for Levying Soldiers, &c.* so far as it respects the purchasing and selling of Soldiers Arms, be put in Execution.

Sent up for Concurrence.

Report on Petition of Robert Eastabrooks &c. &c.

The Committee appointed on the Petition of *Robert Eastabrooks*, and other Petitions of the like Import, Reported on the Petition of *Samuel Partridge*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay to *Israel Williams*, Esq; for the Use of the Petitioner, the Sum of *four Pounds*, in Consideration of the Stoppage made out of the Wages of the Petitioner's Servant *Sylas Brooks*, for his Gun's not being returned. Sent up for Concurrence.

The said Committee also Reported on the Petition of *Samuel Atwood*, and *Robert Clafflin*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay to the Petitioners, and also to the Person who has a Right to receive the Wages of the said *Samuel Church*, the full of their Wages respectively. Sent up for Concurrence.

Bill Engross.

A Bill Intituled, *An Act for regulating the Hospital on Rainsford's-Island, and further providing in Case of Sicknes*.

Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence.

Report on Petition of Mary Faulkner.

The Committee appointed on the Petition of *Mary Faulkner*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that the Petitioner (in her said Capacity) be, and hereby is, authorized and impowered to make Sale of the fourteen Acres and three Quarters of Land therein mentioned, as also the Improvement of the thirteen Acres therein mentioned; and that the Produce thereof be applied to pay the just Debts of the said *Abiel Faulkner*, deceased, and that the Overplus (if any there be) be secured to be divided agreeable to Law.

Sent up for Concurrence.

Message to the Board.

Ordered, That Col. *Jones* go up with a Message to the honourable Board, to desire that the Accounts of the several Commissaries employed in the late Expedition against *Crown-Point*, which have been laid before them, may be sent down.

Who returned, that he had delivered the Message.

Mr.

Mr. Secretary *Oliver* brought down the Account of Commissary *Thomas*, and laid the same on the Table, informing the House that it was the only one they had yet received.

Account of
Commissary
Thomas, bro't
down.

The Committee appointed to take under Consideration what may be proper to be dohe by this Court, with Regard to the Wages of such Soldiers as died whilst in the Service on the late Expedition against *Crown-Point*, and no Account given in of their Arms; and to prepare the Draught of a proper Vote to be passed thereon ; Reported, according to Order.

Committee
relating to
deceased
Soldiers
Wages.

Read, and not accepted, and *Ordered*, That the Report be re-committed for the Amendments proposed.

Then the House adjourn'd, 'till to Morrow Morning Ten o'Clock.

Jobis 7. Die Aprilis, A. D. 1757.

ON a Motion made and seconded, *Ordered*, That the Committee of both Houses appointed to consider of the most suitable and convenient Times for holding the several Courts of Judicature within the Province, be directed also to take under Consideration, what Alteration they judge proper should be made in the Places by Law assigned for holding said Courts, and Report.

Order for
Alteration of
Courts.

Sent up for Concurrence.

A Certificate that one *Elijah Hawley*, (a Soldier in the Expedition against *Crown-Point*,) returned from the Camp in 1755, at his own Expence, was (by Leave of the House) laid on the Table.

Order on
Certificate of
Elijah Haw-
ley.

Read and *Ordered*, That the Treasurer be, and hereby is, directed to pay to Mr. *Josiah Pierce*, for the Use of *Samuel Hawley*, Junr. the full Allowance due to the said *Elijah Hawley*, since deceased, for his Subsistence on his Return from the Army at *Lake-George* in 1755, as made up in the Muster-Roll of the Company he belonged to.

Sent up for Concurrence.

The Committee appointed on the Petition of *Joshua Walker*, Reported thereon.

Report on
Petition of
Joshua Wal-
ker.

Read, and accepted, and *Ordered*, That the Prayer of the Petition be granted ; and that the Petitioner (in his said Capacity of Administrator of the Estate of *Joshua Reed*, deceased,) be, and hereby is, empowered to make Sale of the Remainder or Reversion of the two Estates therein mentioned, for the Use of the Creditors, the said Administrator to account for the neat Proceeds of the same, with the Judge of Probate for the County of *Middlesex*.

Sent up for Concurrence.

A Petition of *Thomas Millen*, Administrator of the Estate of *Benjamin Watkins*, late of *Hopkington*, in the County of *Middlesex*, deceased, shewing that the said *Benjamin* died seized of a small Tract of Land in said Town, that (after his just Debts are paid) there will be so small an Estate left, that it will be impossible for the Widow of the Deceased, to support her self and seven Children, without selling the Whole ; and praying Liberty to dispose of the same, the Overplus (after the Debts shall be paid) to be applied for the Benefit of the said Widow and Children.

Petition of
Tho. Millen.

Read and *Ordered*, That Col. *Buckminster*, Col. *Cheney*, and Col. *Marcy*, be a Committee to consider this Petition, and Report thereon.

Petition of
Tho. Faxon. A Petition of *Thomas Faxon* of *Braintree*, in the County of *Suffolk*, setting forth, that his Servant *Jonathan Bishop*, enlisted into the Service on the last Expedition against *Crown-Point*, and continued therein till the Time of dismissing the Army, but by a Mistake he is not made up in the Muster-Roll as his Servant, whereby he is deprived of the Benefit of his Wages ; and praying that Directions may be given to the Treasurer to pay him the same, the said Omission notwithstanding.

Petition of
Lawrence Clarke. Read and *Ordered*, That this Petition be committed to Mr. *Heath*, Col *Bradford*, and *Benjamin Reed*, Esq; to consider and Report thereon.

A Petition of *Lawrence Clarke* of *Ipswich*, in the County of *Effex*, shewing that he was in the Expedition against *Crown-Point* in 1755, and entered into the Service again the last Year, whereby he is intitled to half Pay from the 17th of *December* 1755, to the 18th of *March* following, but by Mistake the same is omitted in the Muster-Roll of the Company he belonged to ; and praying he may be allowed his said half Pay out of the Treasury.

Read and *Ordered*, That Mr. *Staniford*, Mr. *Lyman*, and Capt. *Newhall*, be a Committee to make Enquiry into the Facts suggested, and Report. And that the said Committee take under Consideration also, a Petition of *Daniel Howard*, Esq; in Behalf of *Joseph Darling*, and *Seth Kingman*, praying an Allowance of half Pay omitted in their Muster-Rolls through a like Mistake.

General
Winslow ad-
mitted into
the House.

The House being informed, that General *Winslow* was at the Door waiting for Admittance : He was admitted accordingly.

His Memorial as enter'd the 18th of *February* last, was read again ; and after being fully heard on the Subject Matter thereof, he withdrew : And thereupon,

Resolved, That the House take under Consideration an Allowance to him for his Services on the late *Crown-Point* Expedition, at four o'Clock Afternoon.

Post Meridiem.

Petition of
John Farrar. A Petition of *John Farrar* of *Concord*, in the County of *Middlesex*, setting forth, that in 1719, he purchased of the Province a Right in a new Township called *North-Town*, and complied with the Conditions required of him by the then General Court ; that after making considerable Improvements thereon, he sold the same to *Benjamin Brooks*, who has lately been ejected by the Proprietors of *Dunstable*, out of the most valuable Part of the Premises, to make good whose Damages, he has been obliged to give up all his Estate both Real and Personal, to the utter Ruin of himself and Family, unless prevented by the Interposition of this Court ; and praying a compassionate Consideration of his distressed Circumstances, and that such Relief may be granted him, as shall be thought reasonable.

Read

Read and *Ordered*, That Col. *White*, Col. *Worthington*, and Mr. *Gridley*, be a Committee to consider this Petition, and Report what they judge proper for this Court to do thereon.

A Petition of *Abigail Williams*, and *Ebenezer Williams*, Administrators of the Estate of *John Williams*, late of *Easton*, in the County of *Bristol*, deceased, setting forth, that in 1744, *Benjamin Williams* conveyed to the said *John*, 100 Acres of Land in said Town, intended only as Security for *One Hundred and thirty Pounds*, with Interest till paid, and that Part of said Sum was paid in the Life Time of the said *John*; and praying that they may be enabled to re-convey the said Lands to the said *Benjamin*, upon his paying what still remains due of Principal and Interest of said Sum, in order that Justice may be done to the Parties concerned.

Petition of
Abigail Wil-
liams, &c.

Read and *Ordered*, That Col. *White*, prepare the Draught of a proper Vote to be passed, granting the Prayer of the Petition.

An Engross'd Bill Intituled, *An Act laying an Embargo upon Ships and other Vessels in this Province.* Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

A Petition of *Thomas Vickars* of *Scituate*, in the County of *Plymouth*, shewing that he was impressed into the Service against *Crown-Point* in *September* last, and sent to *Castle-William*, where he continued eight Weeks before he was dismissed, but is not made up in any Muster-Roll for said Time; and praying he may be allowed Wages therefor, as shall be judged reasonable.

Petition of
Tho. Vickars

Read, and it being suggested to the House, that several other Petitions of the like Import would be probably brought in very soon, *Ordered*, That the Petition lye on the Table.

The House, according to Order, took under Consideration an Allowance to General *Winslow*: And after a Debate thereon,

Order for
Allowance
to General
Winslow.

Ordered, That there be allowed and paid out of the public Treasury, to *John Winslow*, Esq; Major-General and Commander in Chief of the Provincial Forces, on the late Expedition against *Crown-Point*, the Sum of *Six Hundred Pounds*, (in Addition to what he has already received) in full Consideration of his faithful Discharge of that important Trust reposed in him.

Sent up for Concurrence.

On a Motion made and seconded,

The Memorial of *John Winslow*, Esq; in Behalf of the Staff-Officers of the Forces on the late *Crown-Point* Expedition, as enter'd the 18th of *February* last: Was read again; and

Order on
Memorial
of *John*
Winslow Esq;

Ordered, That Col. *Williams*, Mr. *Witt*, Col. *White*, Mr. *Heath*, Mr. *Morey*, Col. *Gerrish*, and Col. *Otis*, be a Committee to take the same under Consideration, and Report thereon.

The Committee appointed to take under Consideration the State of the Frontiers, and to prepare an Establishment for their Defence, and for Pay and Subsistence of Officers and Soldiers, Reported thereon. Read and accepted; and

Establish-
ment for the
Defence &
Protection
of Eastern &
Western
Frontiers.

Voted, That the following Establishment be made for the Defence and Protection of the Frontiers East and West, viz.

In

In the Eastern Frontiers,

That *Fort-Halifax*, and the Store-House at *Cushnac*, be garrisoned with eighty Men and no more, including a Captain, one Lieutenant, three Sergeants, four Corporals, one Drummer, one Armourer, and a Chaplain.

Fort *Brunswick*, with five Men and no more, including one Sergeant.

The Truck-House at *St. George's*, with thirty-five Men and no more, including a Captain, one Lieutenant, one Sergeant, two Corporals, one Drummer, and one Armourer.

The Truck-House at *Saco*, with fifteen Men and no more, including one Lieutenant, one Sergeant, and one Corporal ; and that ten Men of the Inhabitants of *New-Marblehead*, one of whom to be a Sergeant, be alternately put into the Pay and Subsistence of the Government, and that said Pay and Subsistence be divided among said Inhabitants.

Fort *Frederick* at *Pemaquid*, with twenty Men and no more, including one Lieutenant, one Sergeant, and one Corporal.

And for the further Defence of the Eastern Frontiers, that a Marching Army be raised by Inlistment, consisting of two Hundred and sixty Men exclusive of Commission Officers, and that they be constantly employed in Scouting, and their Destination be as follows, *viz.*

That forty-three Men be employed in Scouting from *Salmon-Fall-River*, at the Head of the Town called *Lebanon*, to *Saco-River*.

Fifty Men from *Saco-River* to *New-Boston*, by the Way of *Pearson* and *Hobb's Town*, and *New-Glocester*.

Eighty Men from *New-Boston* to *Kennebeck-River*, and eighty seven Men from *Frankfort*, to the Truck-House at *St. George's* : And that there be ten effective Men of the Inhabitants of *New-Glocester*, one of whom to be a Sergeant, alternately put into the Pay and Subsistence of the Government, the said Pay and Subsistence to be divided amongst the Inhabitants ; and that there be ten of the Inhabitants of *Pearson* and *Hobb's Town*, one of whom to be a Sergeant, alternately put into the Pay and Subsistence of this Government, and that said Pay and Subsistence be equally divided amongst the Inhabitants.

And eighteen more at *Broad-Bay*, one of whom to be a Sergeant, to be employed in protecting the Inhabitants when at their Labour, and for a Guard to the Coasters when loading their Lumber, &c.

And that there be six Men at *Burton's Garrison* in *George's River*, one of whom to be a Sergeant ; and six more at *Henderson's Garrison* at the Entrance of said River, one of whom to be a Sergeant ; which twelve Men last mentioned, shall be under the Direction of the Captain of the Scouting Company at *St. George's*.

That a Bounty of two Dollars be given to each Soldier that may inlist into the Scouting Service aforesaid, and shall find his own Gun ; that there be but two Commission Officers, *viz.* a Captain and Lieutenant, to a Company of not less than forty Men.

And

And for a Security to the Western Frontiers,

That there be forty Men at *Hoosuck*, and no more, thirty whereof to be posted at Fort *Massachusetts*, and ten at the West Township, the said ten to be Inhabitants of said Township, if there should be so many effective Inhabitants for the Service, always including the Men that shall have been concerned in building the Block-House, agreeable to the Vote of this Court the 28th of *January* 1756, the said forty Men including one Captain, one Lieutenant, one Sergeant, two Corporals, one Drummer, and a Chaplain.

At *Fall-Town*, two Garrisons, sixteen Men and no more, including one Sergeant at each Garrison.

At *Colerain*, four Garrisons, thirty Men and no more, including one Lieutenant, and two Sergeants.

At *Charleimont*, two Garrisons, viz. *Taylor's* and *Hawk's*, twenty four Men and no more, including one Sergeant at each Garrison ; the Men now posted at each Place to be accounted Part of said Forces, and the Whole to be constantly employed in Scouting as formerly.

At *Northfield* and *Greenfield*, twenty-eight Men and no more, including one Sergeant at each Place.

At *Pontoosuck*, sixteen Men and no more, viz. eight at *William's* Garrison, and eight at *Goodrich's* Garrison, including those already posted there, the said sixteen Men inclusive of one Sergeant at each Garrison.

At *Stockbridge*, sixteen Men and no more, including one Sergeant, and one Corporal.

At *Hunt's Town*, ten Men and no more, including one Sergeant.

The aforefaid Men on the Western Frontiers, to be under the Command of a Captain, and that there be an Armourer in the Western Frontiers.

Also, that there be allowed thirty Men to be employed in Scouting between *Connecticut* and *Merrimack* Rivers, inclusive of one Lieutenant, one Sergeant, and one Corporal ; and that there be a Bounty of two Dollars given to each Soldier that shall enlist into said Service on the Western Frontiers, and find his own Gun, except those now in the Service.

That the Establishment be for a Term not exceeding three Months from the first Day of *April* Instant, or until the further Order of this Court, and that the Pay or Subsistence of the Soldiers that may be enlisted as aforefaid, commence on the Day of their Enlistment, and that an Establishment be made accordingly ; and that the Subsistence for the Soldiers in the Western Frontiers, be as follows, viz.

At *Pontoosuck*, four Shillings and eight Pence per Week.

At *West-Hoosuck*, five Shillings and four Pence per Week.

At *Fort-Massachusetts*, six Shillings per Week.

At *Charleimont*, *Colerain* and *Fall-Town*, five Shillings and four Pence per Week.

Q q q q q

And

And at all other Places, *four Shillings* per Week ; saving the thirty Scouts between *Connecticut* and *Merrimack* Rivers, which shall be *five Shillings and four Pence* per Week. And that Application be made to the Government of *Connecticut*, to supply us with thirty-two Men, if they think proper, for *Stockbridge* and *Pontoosuck*.

And that the following Bounty be granted and allowed to the Soldiers imployed in the Service of this Province in the Eastern and Western Frontiers, to be paid out of the publick Treasury, over and above the Encouragement aforesaid, *viz.*

For every Indian Prisoner above twelve Years of Age, that shall be taken and brought to *Boston*, *Fifty Pounds*.

For every Scalp of an Indian above twelve Years old, brought in as Evidence of their being killed, *Forty Pounds*.

For every Indian Prisoner under twelve Years old, taken and brought in as aforesaid, *Twenty five Pounds*.

For every Scalp of an Indian under twelve Years old, brought in as Evidence of their being killed as aforesaid, *Twenty Pounds*. And this shall be the only Encouragement for the Soldiers, any Vote or Votes of this Court to the contrary notwithstanding.

Also, *Voted*, That the following Establishment of Wages be made for the Officers and Soldiers on the Eastern, Western and Northern Frontiers, for a Term not exceeding three Months, from the first Day of *April* Instant, *viz.*

	£.	s.	d.	
For a Captain of the marching Forces,	4	16	0	Per Month
For one Lieutenant,	3	4	0	Ditto.
For three Sergeants, each	1	14	1	Ditto.
For two Corporals, each	1	9	10	Ditto.
For a Centinel,	1	6	8	Ditto.

And for the Garrison Officers and Soldiers, *viz.*

	£.	s.	d.	
For a Captain,	4	0	0	Per Month
For a Lieutenant,	3	0	0	Ditto.
For a Sergeant,	1	10	0	Ditto.
For a Corporal,	1	8	0	Ditto.
For a Drummer,	1	8	0	Ditto.
For a Centinel,	1	4	0	Ditto.
For an Armourer,	2	0	0	Ditto.
For a Chaplain a <i>Fort-Massachusetts</i> , } and <i>Fort-Halifax</i> , each }	5	0	0	Ditto.

Also, *Voted*, That if the Establishment aforesaid be continued longer than before-mentioned, so as to bring Hay-Time and Harvest, that then the Destination of the Marching Forces Eastward be so far altered, as that they shall be ordered to Guard the Inhabitants in getting their Hay and Harvest in. And that the Commissary-General be directed to send the Provisions for the Companies afore-mentioned, as near as he conveniently can to their Head-Quarters.

Sent up for Concurrence.

The

The said Committee also Reported on the Petitions of a Number of the Inhabitants of *Wiscassett*, *Sheepscott*, *Damariscotta*, *New-Marblehead*, and *New-Castle*, as follows, viz.

Report on
Petitions of
Inhabitants
of *Wiscassett*,
&c.

That having met and considered the same, they apprehend that in making the Establishment on the Eastern Frontiers, they have fully considered the Circumstances of those People, as to their Proportion of Defence ; and as to the Complaint therein mentioned against Capt. *Goodwin*, Mr. *Averill*, (who appeared for the Inhabitants) gave it up ; and it also appeared to the Committee, that there was no Foundation for any Complaint against him, and so Report that said Petition be dismiss'd, so far as it relates to said *Goodwin*.

And as to the Affair of Capt. *Nickels*, the Committee apprehend that the Complaints against him ought to be made to the Commander in Chief, and that by the Papers in the Case, they apprehend that he is Blame-worthy.

Read and Ordered, That this Report be accepted.

An Engross'd Bill Intituled, *An Act to prevent the Desertion of Soldiers during the present War with France, and the Loss of Arms, whether lent by his Majesty, or belonging to this Province.* Bill enacted,

Read and Resolved, That the Bill pass to be Enacted.

Then the House adjourn'd 'till to Morrow Morning Ten o'Clock.

Veneris 8. Die Aprilis, A. D. 1757.

A Memorial of *Samuel Livermore*, Esq; in Behalf of the Overseers of the Poor of the Town of *Waltham*, in the County of *Middlesex*, praying that the late Inhabitants of *Nova-Scotia*, placed there, may be ordered to some other of the Towns within the Province, where they may be supported at less Expence to the Public, and Inconvenience to the Inhabitants.

Memorial
of *Sam Liver-*
more, Esq;

Read.

John Hill, Esq; brought down a Petition of *Daniel Henshaw*, and others, the Select-Men of the Town of *Leicester*, praying that *James Morris*, and Family, who were ordered there by this Court, may be removed to some other Town where they may be more conveniently provided for, and at a cheaper Rate than can be done there.

Petition of
Daniel Hen-
shaw, bro't
down.

In Council April 4th 1757. Read and sent down.

Read and Ordered, That Mr. *Paine*, Major *Noyes*, and Capt. *Taylor*, with such as the honourable Board shall join, be a Committee to consider the Petitions of *Samuel Livermore*, Esq; and of *Daniel Henshaw*, and others, and Report thereon : Also, that the said Committee take under Consideration, and Report what they judge proper to be done by this Court, with Regard to the Inhabitants late of *Nova-Scotia*, now within the Province.

Sent up for Concurrence.

On

Treasurer
directed.

On a Motion made and seconded, *Voted*, That the Treasurer be directed to pay the Widow *Elizabeth Merrill*, Administratrix on the Estate of *Stephen Merrill*, late of *Tewksbury*, deceased, *one Pound and six Pence*, in full for the said *Stephen's* billeting himself on his Return home from the Army in the Year 1755.

Sent up for Concurrence.

Vote on
Petition of
Abigail Wil-
liams, &c.

Col. *White*, according to Order, Reported the following Draught of a Vote on the Petition of *Abigail* and *Ebenezer Williams*: Which was read and accepted, *viz. Voted*, That *Abigail Williams*, and *Ebenezer Williams*, Administrators on the Estate of *John Williams*, late of *Easton*, deceased, be, and they hereby are, fully authorized and impowered (in their said Capacity) to re-convey the one Hundred Acres of Land in their Petition mentioned, to the said *Benjamin Williams*, upon his paying to them the Consideration Money mentioned in his Deed to the said *John Williams*, deceased, with the lawful Interest and Depreciation of the same, they (the said *Abigail* and *Ebenezer*) accounting for the said Money with the Judge of Probate for the County of *Bristol*, in order that the same may be distributed among the Heirs of the said *John Williams*, deceased, agreeable to Law; and that the said Deed of Re-conveyance, when executed, shall be deemed as good & effectual in Law, as tho' made by the said *John*, in his Life Time.

Sent up for Concurrence.

Whereas it appears by Certificate from Gideon Mirick, Lieut. of the Company lately commanded by Capt. Ebenezer Moulton, that Timothy Colton, deceased, who was a Soldier in that Company, took up Nothing at the Charge of the Province, in his Return from the Camp, excepting two Meals of Victuals: Therefore,

Vote for Al-
lowance to
Tim. Colton.

Voted, That the Treasurer pay to *Timothy Colton*, Father of said Deceased, what said *Timothy* deceased, is allowed on said Capt. *Moulton's* Roll, for billeting in his said Return, deducting *one Shilling* Lawful Money only, the former Orders of this Court notwithstanding.

Sent up for Concurrence.

Report on
Petition of
Tho. Faxon.

The Committee appointed on the Petition of *Thomas Faxon*, Reported thereon.

Read, and accepted, and *Ordered*, That the Treasurer be, and he hereby is, directed to pay to the Petitioner, the Wages of his said Servant *Jonathan Bishop*, as made up in Capt. *Blake's* Muster-Roll.

Sent up for Concurrence.

Petition of
Tho. Downe.

A Petition of *Thomas Downe* of *Boston*, in the County of *Suffolk*, shewing that he was Collector of Taxes in said Town from the Year 1750, to 1755 inclusive, and that notwithstanding his utmost Diligence in collecting the same, there are still considerable Sums due, especially for the last two Years; that being unable, by Reason of bodily Weakness, to proceed in collecting what remains due, he has prevailed on Mr. *Edward Holiday*, to undertake the Business for him; but as he was never chosen by the Town into that Office, he cannot legally act without the Interposition of this Court; and praying that he may be duly authorized and impowered to finish the said Collection of Taxes in his Room.

Read

Read and *Resolved*, That the said *Edward Holiday*, be, and he is hereby, authorized to collect the Taxes committed to the said *Thomas Downe*, to be collected of the Inhabitants of the Town of *Boston*, from the Year 1750, to the Year 1755, inclusive of both said Years, which are outstanding and unpaid ; and the said *Edward Holiday*, is hereby vested with the same Authority to the said Purposes, as the said *Thomas Downe* has, who shall be accountable for the said *Holiday's* Doings herein.

Sent up for Concurrence.

The Committee appointed to consider Petitions from sick and wounded Soldiers on the Expedition against *Crown-Point* in 1755, Reported on sundry of said Petitions ; which were read, and the Reports accepted ; and thereupon,

Report on
Petitions
from sick &
wounded
Soldiers.

Ordered, That there be allowed and paid out of the public Treasury to *Joseph Gerrish*, Esq; for the Use of *Joseph Slofs*, £.10 and for the Use *Abner Dole*, 30s. to *Israel Williams*, Esq; for the Use of *Joel Dickenson*, 12s. to *William Lawrence*, Esq; for the Use of *John Scott*, £.3 3s. to Capt. *James Barrett*, for the Use of *Ephraim Stow*, £.8. to *John Murray*, Esq; for the Use of *Ephraim Church*, £.4 2s ; and to *Richard Dexter*, 28s. in Consideration of their Sufferings and Expences in their respective Petitions mentioned, on the first *Crown-Point* Expedition.

Sent up for Concurrence.

The said Committee also Reported on the Petitions of *James Bemis*, *John Rumrell*, *Josiah Holmes*, and *Henry Lyon*.

Read, and accepted, and *Ordered*, That the said Petitions be dismiss'd accordingly.

The Committee appointed on Petitions from sick Soldiers on the Expedition against *Crown-Point* the last Year, Reported on sundry of said Petitions ; which were read, and the Reports accepted ; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to Mr. *Elijah Porter*, for the Use of *Jonathan Bixby*, the Sum of £.12 7s. 3d. to Mr. *Benjamin Hills*, for the Use of *John Maucy*, 55s. to Mr. *Eliphalet Whiting*, for the Use of *Benjamin Moore*, £.6 19s. 8d. to Mr. *Ebenezer Barker*, for the Use of *Jonathan Griffin*, 46s. 8d. to *Isaac Merrill*, Esq; for the Use of *Thomas Clark*, 41s. 6d. to Mr. *Gideon Lyman*, for the Use of *Heman Pomroy*, 24s. and for the Use of *John Lyman*, £.3 11s. 4d. to *William Lawrence*, Esq; for the Use of *Richard Harrington*, 40s. and for the Use of *Aaron Farnsworth*, 40s. to Mr. *Amos Fuller*, for the Use of *Jacob Storwell*, 42s. to *William Richardson*, Esq; for the Use of *Thomas Ross*, £.3 16s. 8d. to *Thomas Foster*, Esq; for the Use of *Amaziah Delano*, 15s. 8d. and to Mr. *Thomas Morey*, for the Use of *Lydia Winchell*, £.5 18s. 5d. in Consideration of the Sufferings and Expences in their Petitions respectively mentioned, on the last *Crown-Point* Expedition.

Sent up for Concurrence.

The said Committee also Reported on the Petitions of *Abner Cooley*, and *Huldah Holman*.

Petitions of
Abner Cooley,
& dismiss'd.

Remon-
strance of
Hopestill Bent
&c. bro't
down.

Read, and accepted, and *Ordered*, That the Petitions be dismiss'd accordingly.

Richard Cutt, Esq; brought down a Remonstrance of *Hopestill Bent*, *William Rice*, & *Asher Cutler*, of *Sudbury*, in the County of *Middlesex*, setting forth, that *John Noyes*, Esq; a Member of the House of Representatives, has been guilty of defrauding the Government in sundry Instances, relative to the late Expeditions against *Crown-Point*; and praying that Enquiry may be made into the Truth of the Matters suggested, and Justice done in the Premisses.

Pass'd in Council, viz. In Council *April* 8th 1757.

Read and *Ordered*, That this Petition be committed to the Committee appointed to enquire into Frauds, &c. and the Committee are to sit forthwith, and to enquire into the Facts herein set forth, and they are specially to Report on this Petition as soon as may be.

Sent down for Concurrence.

Read, and after a Debate had thereon,

Ordered, That the Complainants be directed to attend the House, with their Witnesses, on Wednesday next at three o'Clock Afternoon, that they be then heard on the Floor, on the Subject Matter of their Complaint; and that the Clerk of the House notify the said Complainants accordingly.

Petition of
Steph. Webster.

A Petition of *Stephen Webster* of *Salisbury*, in the County of *Essex*, setting forth, that *Anthony Gwynn*, recovered Judgment against him at the Inferiour Court held for said County in *March* 1756, whilst he was in the Service in the Expedition against *Crown-Point*, and thereby prevented from examining his Account, and reducing it to the just Debt; that contrary to his Promise in Writing, he took out Execution and levied the same on his Real Estate, whereby the Petitioner is now in Danger of losing his Right of Redemption of the Premisses, unless relieved; and praying the Interposition of this Court, and that such Relief may be afforded him, as shall be judged reasonable, in order that Justice may be done between him and the said *Gwynn*.

Read and *Ordered*, That the Petitioner notify the adverse Party of this Petition, that he shew Cause (if any he have) on Tuesday next, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of
John Wright.

A Petition of *John Wright*, shewing that he purchased in the Year 1749, a Tract of Land on the East Side of the River *Kennebeck*, of *Daniel Emes*, one of the Proprietors holding under *Lake* and *Clark*; that after making large Improvements thereon, by building & otherwise, he unfortunately lost his Deed; since which an Action has been brought against him by Mr. *Gardner* of *Stow*, for the Premisses, and Judgment given for upwards of *Seventy Pounds* Damages, to the Ruin of himself and Family, unless relieved; and praying that said Judgment may be set aside, and Execution staid, and that he may have the Liberty of a new and fair Trial in the Case.

Read and *Ordered*, That Col. *Lawrence*, *Thomas Foster*, Esq; and Col. *White*, be a Committee to consider this Petition, and Report thereon.

The

The Committee appointed on the Petition of *Samuel Blanchard*, Report on and *David Blanchard*, Reported thereon. Report on Petition of Sam. Blanchard, &c.

Read, and accepted, and *Ordered*, That the Prayer of the Petition be granted ; and that the Petitioners (in their said Capacity of Administrators on the Estate of the said *John Blanchard*,) be, and hereby are, empowered to make Sale of two Thirds of the Real Estate of the said *John* for the Payment of his Debts, and to execute a Deed or Deeds for the same, which when compleated, are hereby declared to be good and valid in Law to all Intents and Purposes, they giving sufficient Caution to account with the Judge of Probate for the County of *Middlesex*, for the Proceeds of said Sale.

Sent up for Concurrence.

The Committee appointed on the Petition of *Amos Gates*, Reported thereon. Report on Petition of Amos Gates.

Read, and accepted, and *Ordered*, That the Prayer of the Petition be granted ; and that the Petitioner (in his said Capacity of Guardian) be, and he hereby is, empowered to make Sale of the Land mentioned, for the most the same will fetch, and to give a good and sufficient Deed or Deeds of Sale in the Law for the same, provided he give sufficient Caution to the Judge of Probate for the County of *Middlesex*, to be accountable for the Produce thereof, and that (after the just Debts are paid) he will apply the Remainder for the Use of the Widow to whom he is Guardian, while she remains Non-Compos, and if she should be restored to the Use of her Reason again, will return what shall remain in his Hands unto her, or to her lawful Heirs, in Case of her Decease, together with the lawful Interest thereof.

Sent up for Concurrence.

John Chandler, Esq; brought down sundry Accounts received from the Commissaries on the late *Crown-Point Expedition*, together with a Memorial and Remonstrance of *Joseph Peabody*, and others, accompanying the same, setting forth their Proceedings whilst employed as Commissaries in said Expedition, with Regard to the back Allowance to the Soldiers, which they apprehend they had a Right to agree with them for ; and praying that their Accounts as exhibited, may be allowed. Commissaries Accounts, &c. bro't down.

Read and *Ordered*, That Col. *Otis*, Col. *Jones*, Mr. *Witt*, *James Russell*, Esq; Mr. *Flucker*, Capt. *Livermore*, and Col. *Hale*, be a Committee to take this Memorial under Consideration, together with their Accounts exhibited, and Report thereon ; and that the said Committee be, and they hereby are, empowered to send for Persons and Papers, as they shall judge proper.

A Petition of *William Wood* of *Westborough*, in the County of *Middlesex*, praying that he may be allowed for ten Weeks Pay whilst in the Service at *Lake-George*, as Ensign, omitted by Mistake in the Muster-Roll of Capt. *Joseph Ingersole*. Petition of Wm. Wood.

Read, and committed to Col. *Cotton*, Col. *Murray*, and Col. *Brigham*, to consider and Report thereon.

Memorial
of Dr. *Miles*
Whitworth.

A Memorial of Dr. *Miles Whitworth* of *Boston*, in the County of *Suffolk*, shewing that he received a Commission from Governor *Shirley*, as Chirurgion-General to the Forces employed in the last Expedition against *Crown-Point*, and officiated as Chirurgion to Col. *Plaisted's* Regiment, by Direction of the Committee sent by the General Court to *Albany*, till the Time of the Army's Dismission ; and praying an Allowance for his said Services.

Read and *Ordered*, That Mr. *Humphry*, Col. *Bradford*, and Col. *Cotton*, be a Committee to consider this Memorial, and Report what they judge proper for this Court to do thereon.

Petition of
Daniel Kings-
bury.

A Petition of *Daniel Kingsbury* of *Wrentham*, in the County of *Suffolk*, setting forth, that some Time since he became bound in the Probate-Office for the County of *Suffolk*, for the Administration of *Ruth Knowlton* on her late Husband's Estate, who stands ready to settle her Accounts ; but the Children being of Age to choose Guardians for themselves, refuse to do it, by Means whereof the said Accounts can't be settled, and he is in Danger of suffering by this Delay ; and praying that the Judge of Probate for said County, may be enabled to settle the same without Guardians, or to appoint Guardians for them.

Read and *Ordered*, That the Petition lye on the Table, till the House pass on the Bill lying before them for regulating the Proceedings in the Courts of Probate within the Province.

Petition of
Peter Prescott
Junr.

A Petition of *Peter Prescott*, Junr. of *Concord*, in the County of *Middlesex*, shewing that he was left among other Subaltern Officers, by Order of General *Winslow*, to take Charge of the sick at *Lake-George* the last Year, which Service he attended accordingly, and by Means thereof was detained a Month longer in the Service than he has received Pay for ; and praying that he may have a suitable Allowance for said Time, and the Difficulties and Fatigues he underwent, occasioned thereby.

Read and *Ordered*, That this Petition be committed to the Committee appointed on the Memorial of Dr. *Miles Whitworth*, to consider and Report thereon.

Petition of
William Lawrence,
Esq;

A Petition of *William Lawrence* of *Groton*, in the County of *Middlesex*, Esq; setting forth, that some Years since he purchased considerable Tracts of Land in a new Township then called *North-Town*, of the original Grantees of the General Court, that on the running the Line between this Government and that of *New-Hampshire*, great Part thereof fell within their Bounds, and was claimed and sold by the Proprietors holding under *John Tufton Mason*, Esq; and about sixty Acres of said Land, the Proprietors of *Dunstable* have lately recovered Possession of, in a Course of Law ; and praying that a Grant may be made him of some of the unappropriated Lands within the Province, to make good the Losses he has sustained.

[Possession]

Read and *Ordered*, That this Petition be committed to the Committee appointed on the Petition of *John Farrar*, to consider and Report thereon ; and that *Thomas Foster*, Esq; and Mr. *John-son*, be added to the said Committee.

A

A Memorial of *William Thompson*, Esq; as entred the 26th of *Feb.* last and refer'd, read again ; and

Ordered, That the said Memorial be dismiss'd.

Memorial
of *William
Thompson*,
dismiss'd.

Post Meridiem.

On a Motion made and seconded, *Ordered*, That *Col. Otis*, *Col. Cotton*, and *Capt. Newhall*, be a Committee to prepare and bring in a Bill obliging the People called *Quakers*, to do Duty equivalent to the Personal Military Duty required by Law from his Majesty's other Subjects, or to pay a certain Sum of Money in Lieu thereof.

Committee
for a Bill.

Ordered, That Petitions relating to the Stoppage of Part of the Wages of Soldiers on the late *Crown-Point* Expedition, on Account of their Arms not being returned, be committed to *Capt. Sprague*, and others, appointed on the Petition of *Robert Eastbrooks*, and other Petitions of the like Import, for their Examination and Consideration, without being previously read in the House.

Order relating
to Soldiers
Wages

A Petition of *Ephraim Winship*, of a Place called *New-Marblehead*, in the County of *York*, setting forth, that in the Month of *May* last, he was attacked by a Party of Indians who fired upon him and grievously wounded him, and afterwards cruelly cut and tore off his Scalp, leaving him for dead ; that he has lost one of his Eyes, and the use of one Arm, and is wholly unable to do any Work ; and praying the compassionate Consideration of this Court under his grievous Sufferings, and the distressed Circumstances of himself and Family.

Petition of
Eph. Winship;

Read, and committed to *Col. Miller*, *Mr. Prentice*, and *Col. Clap*, to consider and Report thereon.

A Petition of *Joshua Davis*, setting forth, that his Servant *John Hall*, inlisted into the Service on the last *Crown-Point* Expedition, the 22d of *April* last, but was taken sick and unable to join the Army before the 15th of *July* following, from which Time only he is made up in the Muster-Roll ; and praying that he may be allowed Wages for his said Servant, from the Time of his Inlistment till he joined the Army, and also Payment of his Expences occasioned by his said Servant's Sickness, agreeable to the Account exhibited.

Petition of
Joshua Davis.

Read, and committed to *Mr. James Foster*, *Col. Cheney*, and *Col. Bradford*, to consider and Report thereon.

Isaac Royall, Esq; brought down the Petition of *Lydia Kellogg*, as entred the 12th of *January* last, together with the Papers accompanying the same, with the following Vote of Council thereon-

Petition of
Lydia Kellogg,
bro't down.

Viz. In Council *April* 6th 1757. Read again ; and

It appearing that a Notification has been left at the Place of the last known Residence of Ephraim Kellogg, within-mentioned, he not being personally to be found :

S f f f f

Ordered,

Ordered. That the Petitioner *Lydia Kellogg*, be divorced from the Bonds of Marriage with her Husband *Ephraim Kellogg*, and that *William Brattle*, Esq; with such as the honourable House shall join, be a Committee to bring in a Bill accordingly.

Sent down for Concurrence.

Read and concur'd, and Col. *Cotton*, and Capt. *Thomas*, are join'd in the Affair.

Report on
Petition of
Moses Emer-
son.

The Committee appointed on the Petition of *Moses Emerson*, Reported thereon.

[Treasury]

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *Two Hundred Pounds*, in Addition to what he has already received, in full Consideration of his Services as Commissary, as mentioned.

Sent up for Concurrence.

Order on
Petition of
John Barnard

On a Motion made and seconded, a Petition of *John Barnard*, as entred the 15th of *February* last, together with the Report of the Committee appointed thereon, was read again, and the said Report accepted; and thereupon,

Ordered, That the Prayer of the Petition be so far granted, as that the Platt of the Land exhibited, be, and hereby is, confirmed to the Petitioner, his Heirs and Assigns forever; provided the said Platt does not exceed Six Hundred Acres, and does not interfere with any Grant already made by this Court.

Sent up for Concurrence.

[John Norton]

Petition of
Silas Yuman,
referred.

Col. *White*, appointed the last Sitting, to make Enquiry after the Gun of one *Silas Yuman*, in Consequence of a Petition of *John Norton*, Esq; as entred the 8th of *February* last, Reported, that the said *Silas* sold the said Gun to Capt. *James Andrews*. And

Ordered, That the further Consideration of said Petition, be referred till Col. *Norton* come to the House.

Message to
the Board.

On a Motion made and seconded, *Ordered*, That Col. *Bradford* go up with a Message to the honourable his Majesty's Council, to acquaint them that the House are informed one *David Sturteval*, who was in the Service at *Nova-Scotia* in 1755, is impressed by Capt. *Dowse*, Commander of the Province Snow *Prince of Wales*, but that he (being unwilling to go into the Sea Service) claims the Promise of the Government to be freed from any Impress for the present; therefore the House desire they would give Orders for his Release.

Who returned, that he had delivered the Message.

Report on
Soldiers
Wages.

The Committee appointed to prepare a Vote relative to the Wages of Soldiers who died in the Service on the late Expedition against *Crown-Point*, their Arms not being returned, Reported their former Draught with Amendments thereon.

Read, and not accepted, and *Ordered*, That Col. *Otis* prepare and bring in a Vote for the Purposes intended.

Petition of
Henry Gibbs,
Esq;

A Petition of *Henry Gibbs*, Esq; in Behalf of the Inhabitants of the Town of *Newton*, praying that *Claude Bennoie* and Family, may be removed to some other Town of the Province, agreeable to a Petition presented to the General Court, as entred the 26th of *January* last.

Read and *Ordered*, That this Petition be committed to the Committee of both Houses appointed on the Petition of *Samuel Livermore*, Esq; and others, to consider and Report thereon.

Sent up for Concurrence.

The Committee appointed on the Petition of *Thomas Millen*,
Reported thereon. Report on
Petition of
Tho. Millen.

Read, and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Petitioner (in his said Capacity,) be, and he hereby is, impowered to make Sale of the Real Estate mentioned, for the most it will fetch, and make and execute a good and lawful Deed or Deeds of Sale of the same, he to render an Account of the Proceeds thereof to the Judge of Probate for the County of *Middlesex*, that the Overplus (if any there be) may be applied agreeable to Law. Sent up for Concurrence.

George Leonard, Esq; brought down the Report of a Committee of both Houses, appointed to consider some suitable Method for manning the Province Ship and Snow, and what Number of Men are sufficient for that Purpose. Report relative to the
manning the
Province
Ship & Snow.

Signed *Jacob Wendell*, per Order.

Which Report is as follows, *viz.*

That there be one Hundred and twenty-five Men allowed for manning the Ship, Officers included ; and for the Snow, eighty-five Men, Officers included : And for Encouragement of able bodied Men to enlist into the above Service, that one Months Wages be advanced to each private Man that shall enlist, to be deducted out of his Pay. And that the Impost-Officer be directed to pay into the Province Treasury, what Sums he has collected by Virtue of the Act for building the above-mentioned Vessels, to enable the Treasurer to pay the same in Manner as aforesaid.

Read and *Ordered*, That this Report be accepted.

Sent up for Concurrence.

Then the House adjourn'd, 'till to Morrow Morning Ten o'Clock.

Sabbati 9. Die Aprilis, A. D. 1757.

THE Committee appointed on the Petition of *Robert Eastbrooks*, and other Petitions of the like Import, Reported on the Petition of *Elizabeth Phillips*. Report on
Petition of
*Elizabeth
Phillips*.

Read, and accepted, and *Ordered*, That the Treasurer be, and he hereby is, directed to pay to Mr. *Benjamin Hills*, for the Use of the Petitioner, the full Wages due to her late Husband.

Sent up for Concurrence.

The said Committee also Reported on the Petition of *Edmund Bemis*. *Edmund Bemis*.

Read, and accepted, and *Ordered*, That the Petitioner have Leave to Rectify the Mistake in his Muster-Roll mentioned, that so the said *Benjamin* may draw his full Wages.

Sent up for Concurrence.

The

Eunice Thomas.

The said Committee also Reported on the Petition of *Eunice Thomas*.

Read, and accepted, and *Ordered*, That the Treasurer be, and he hereby is, directed to pay to Mr. *John Temple*, for the Use of the Petitioner, the Sum of *four Pounds*, being what was stopped out of the Wages of the said *Edward Thomas*, on Account of his Arms not being returned. Sent up for Concurrence.

Wm. Pell.

The Committee appointed on the Petition of *William Pell*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Benjamin Hills*, for the Use of the Petitioner, the Sum of *three Pounds*, in Consideration of the half Pay he was intitled to, being omitted in the Muster-Roll of the Company he belonged to.

Sent up for Concurrence.

Lawrence Clarke.

The Committee appointed on the Petition of *Lawrence Clarke*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Daniel Staniford*, for the Use of the Petitioner, the Sum of *forty Shillings*, in Consideration of the half Pay he was intitled to on his engaging in the Service against *Crown-Point* the last Year, being omitted in the Muster-Roll of Capt. *Gideon Perkin's* Company.

Sent up for Concurrence.

Daniel Howard, Esq;

The said Committee also Reported on the Petition of *Daniel Howard, Esq;*

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to *Daniel Howard, Esq;* for the Use of *Joseph Darling*, and *Seth Kingman*, *three Pounds* each, in Consideration of the half Pay they were intitled to on their entering into the Service on the last *Crown-Point* Expedition, being omitted in the Muster-Roll of Capt. *John Clap's* Company.

Sent up for Concurrence.

Isaac Allen.

The Committee appointed on the Petition of *Isaac Allen*, Reported thereon.

Read, and accepted, and *Ordered*, That the Treasurer be, and he hereby is, directed to pay to *William Stevens, Esq;* for the Use of the Petitioner, the Sum of *forty Shillings*, for the Loss of the Gun mentioned, also the Sum due to the Petitioner for Wages of his said Servant *David Riggs*, as made up in the Muster-Roll of the Company to which he belonged.

Sent up for Concurrence.

Report on
Petition of
Daniel Giddinge.

The Committee to whom was referred the Consideration of the Petition of *Daniel Giddinge*, as entred the 14th of *February* last, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Daniel Staniford*, for the Use of the Petitioner, the Sum of *four Pounds and ten Pence*, in full Discharge of the several Accounts of billeting Soldiers in the Years 1755 and 1756, exhibited. Sent up for Concurrence.

A Memorial of *Nathan Willard*, Commanding Officer at *Fort-Dummer*, praying that Payment may be made of his Roll for the Garrison posted there, from *November 1755* to *November 1756*, the Establishment for said Garrison being ended before the Expiration of said Time notwithstanding ; and also that said Establishment may be continued, or Orders given for dismissing the Men now there.

Read and *Ordered*, That the Memorial be dismiss'd. And

On a Motion made and seconded, *Ordered*, That Mr. *Lyman* go up with a Message to the honourable Board, to desire the last Muster-Roll of Capt. *Nathan Willard's* Garrison at *Fort-Dummer*, may be sent down.

Who returned, that he had delivered the Message.

The said Roll was brought down accordingly ; and

Ordered, That Mr. *Lyman*, Capt. *Hutchins*, and Capt. *Turner*, be a Committee to make Enquiry what Stores belonging to the Province are now at said Fort, and Report.

Ordered, That Mr. *Tasfer*, Col. *Worthington*, and *Thomas Foster*, Esq; be a Committee to make Enquiry after some Fishing Vessels, suggested to have failed on their Fishing Voyages, in Contempt of the Proclamation issued by his late Honour the Lieut. Governour, with the Advice of his Majesty's Council, and Report thereon.

A Petition of *Oxenbridge Thacher* of *Middleborough*, in the County of *Plymouth*, Adjutant to Col. *Thacher*, in the late *Crown-Point* Expedition, praying an Allowance for his Gun lost at *Fort-Miller*, on his Return from *Lake-George* towards *Albany*, for Necessaries purchased for sick Soldiers, &c. his own Billeting and sundry Expences on his Return home the last Year, &c. agreeable to the Account exhibited.

Read and *Ordered*, That this Petition be committed to *Thomas Foster*, Esq; Col. *Bradford*, and Col. *Lawrence*, to consider and Report thereon.

On a Motion made and seconded, *Ordered*, That Col. *Hale*, Mr. *Flucker*, Mr. *Tasfer*, Major *Freeman*, and *Thomas Foster*, Esq; go up with a Message to the honourable his Majesty's Council, to desire they would be pleased to appoint the proper Officers for the Province Ship now building to Guard the Coast, the House apprehending it expedient to be done as soon as may be, in order to the speedy manning and getting said Vessel to Sea.

Who returned, that they had delivered the Message.

Col. *Otis*, according to Order, Reported the following Draught of a Vote to be passed the Court relating to the Wages of Soldiers who died in the Service, and whose Arms are missing : Which was read and accepted, viz.

Voted, and *Ordered*, any Vote or Order of this Court heretofore passed to the contrary notwithstanding, that whatever Soldier, who died in the Service of this Province at *Lake-George* in 1756, or after he came from the Lake between there and *Albany*, or at *Albany* or *Greenbush*, there shall be no Stoppage out of his Wages for

T t t t t

his

Memorial
of *Nathan
Willard.*

Message to
the Board.

Petition of
*Oxenbridge
Thacher.*

Message to
the Council.

Report and
Order rela-
ting to Sol-
diers Wages
and Fire-
Arms.

his Arms that are lost or missing ; and where any Soldier died in his Way from *Albany* home, and his Arms are missing, the Stoppage aforesaid shall be taken off ; provided his Widow, Executor or Administrator, or other Person legally impowered to receive the Wages, make Oath before any Justice of the Peace in this Province, or the Province Treasurer, that they know not what is become of such deceased Soldiers Arms, and that they have Reason to think that the said Arms are lost or returned to the Commanding Officer, or into some of the public Stores, such Certificate to be first lodged with the Province Treasurer aforesaid.

Sent up for Concurrence.

Bill read &
refer'd.

The Committee appointed on the Bill Intituled, *An Act for further regulating the Proceedings of the Courts of Probate within this Province* ; Reported their Amendments thereon.

Read and Ordered, That the further Consideration thereof be referred till Wednesday next, ten o'Clock in the Forenoon.

Petition of
Tho. Williams
Esq;

A Petition of *Thomas Williams*, Esq; praying an Allowance of the Accounts exhibited of subsisting fundry Companies belonging to the Regiment under the Command of Col. *Ephraim Williams*, deceased, on the Expedition against *Crown-Point* in 1755, from the Time of their arriving at the Place of Rendezvous, till they marched in said Service.

Read and Ordered, That Col. *Jones*, Mr. *Witt*, and Col. *Otis*, be a Committee to consider this Petition, and Report thereon.

Report on
Petition of
Oxenbridge
Thacher.

The Committee appointed on the Petition of *Oxenbridge Thacher*, Reported thereon.

Read and not accepted, and Ordered, That the Petition be dismissed.

Then the House adjourn'd 'till Monday next, at three o'Clock Afternoon.



VOTES

Of the House of Representatives.



Lunæ 11. Die Aprilis, A. D. 1757.

 Petition of *James Wesson, Richard McDaniel, and John Brown*, shewing that they entred into the Service on the Expedition against *Crown-Point* the last Year, and attended their Duty till the same was over, where they suffered great Hardships, and were put to considerable Expence on their Return home, that they entred themselves in the present Expedition, in two Days after the Time assigned for taking Inlistments ; and praying that they may be allowed the Province Bounty, the said Time being elapsed at the Time of their Inlistment notwithstanding.

Petition of
James Wesson
&c.

Read, and the Question being put, *Whether it be the Mind of the House that the Petition be sustained ?*

It pass'd in the Negative.

It being suggested to the House, that Capt. John Wright, late Commander of Fort-Halifax, in making up the Pay-Roll of the Officers and Soldiers belonging to the Garrison there, was guilty of many Frauds against the Government :

Therefore,

Ordered, That the Committee on Frauds be directed forthwith to make Enquiry into the Facts, and Report thereon, in order that a Stoppage may be made out of the said Capt. *Wright's* Pay on the Muster-Roll in the late *Crown-Point* Expedition.

Order rela-
ting to sug-
gested
Frauds.

Sent up for Concurrence.

The Petition of *James Davenport* of *Boston*, in the County of *Suffolk*, setting forth, that he being appointed a Coroner for said County for many Years past, was called upon to take Inquisition on the Body of *Nicholas Dyer*, a Stranger found Dead in *March* 1756, and no Estate being to be found, he paid the Charges of the Jury, Constable and Witnesses ; but on his offering his Account to the Court of Sessions for said County, he was refused an Order for his Pay, because he had not taken the Oath relating to Bills of Credit on the Neighbouring Governments in *June* 1753, he being then confined by Sicknes, altho' he afterwards took said Oath before he acted again as Coroner ; and praying that he may be ordered Pay of his said Account, out of the County Treasury.

Petition of
Jam. Daven-
port.

Read

Read and *Ordered*, That the Prayer of this Petition be so far granted, as that the Court of General Sessions of the Peace for the County of *Suffolk*, are hereby impowered to direct the Treasurer of said County, to pay the said *Davenport* the reasonable Charge he was at in the Inquisition referred to, the Omission of taking the Oath in proper Season notwithstanding.

Sent up for Concurrence.

Petition of
Rev. *Thomas*
Prince.

A Petition of the Rev. Mr. *Thomas Prince* of *Boston*, in the County of *Suffolk*, praying that the Justices of the Superiour Court may be impowered to receive the Return of Persons appointed by them to make Division of some Lands lying in the County of *Worcester*, belonging to the Estate of the late Rev. Mr. *Nathan Prince*, deceased, between the Heirs interested therein, one of the Persons appointed for that End, but did not attend the Service not being sworn, notwithstanding.

Read and *Ordered*, That Col. *Cotton*, Col. *Lawrence*, and *Thomas Foster*, Esq; be a Committee to consider this Petition, and prepare a proper Vote to be passed thereon.

Vote relat-
ing to *Charles*
Mius, a
French Neu-
tral.

Whereas there was a Vote or Order of this Court, passed the 8th of February last, directing the Select-Men of Plymouth to remove Charles Mius and Family, (some of the Neutral French) from the Town of Plymouth, to the Town of Wareham; but the said Charles Mius and Family, being desirous of being removed to Marshfield, and there appearing Mr. Nathanael Ray Thomas, ready to receive them, and give Bond of Two Hundred Pounds lawful Money, to save the Province from any Charge that may arise on said Charles and Family; and the Select-Men of said Plymouth having removed them to Marshfield, and took a Bond to the Province Treasury for the Sum of Two Hundred Pounds, to save the Province from Charges on Account of said Family:

Voted, That said *Charles Mius* and Family, be continued in said Town of *Marshfield*, any Order or Resolve of this Court to the contrary notwithstanding, and that *Thomas Foster*, Esq; be directed to deliver said Bond to the Province Treasurer.

Sent up for Concurrence.

Petition of
James Carr.

A Petition of *James Carr*, shewing that he received a Commission as Ensign for the 600 Recruits for the *Crown-Point* Army in *August* last, and in *September* (when the said Recruits marched) he was ordered to tarry at *Boston*, to collect and receive the Remainder of them, which Service he attended till the 8th of *Nov.* following, and kept them at *Castle-William*, when he received Orders from the late Lieut. Governour, to dismiss them; that the Muster-Roll he made up for said Men has been dis-allowed by the Committee of the House, none by Vote of the Court being intituled to Pay, but such as actually joined the Army; and praying the said Roll may be allowed, the said Vote notwithstanding.

Read and *Ordered*, That Col. *Clap*, Col. *Lawrence*, and Col. *Cotton*, be a Committee to take this Petition under Consideration, and Report thereon.

A Petition of Capt. *Benaiah Young*, in Behalf of his Company in the last *Crown-Point* Expedition, praying that they may have a Grant out of the Treasury for what they received short of their full Allowance whilst in said Service, particularly in *June* last at *Fort William-Henry*, agreeable to the Accounts exhibited. Petition of Capt. Benaiah Young.

Read and Ordered, That this Petition be committed to the Committee appointed on the Commissaries Accounts, to consider and Report thereon.

A Petition of *Nathanael Fitts* of *Salisbury*, in the County of *Essex*, praying an Allowance of *forty Shillings* out of the Treasury, stopped out of his Servant *Simon Williams's* Wages, on Account of his Gun's not being returned, after the *Crown-Point* Expedition in 1755, the same being unavoidably lost. Petition of Nath. Fitts.

Read, and committed to Col. *Murray*, Mr. *Gowen*, and Major *Freeman*, to consider and Report thereon.

The Committee appointed on the Petition of *John* and *Anna McAllister*, Reported thereon. Report on Petition of John and Anna McAllister.

Read, and accepted, and Ordered, That the Prayer of the Petition be granted ; and inasmuch as the Deeds given by the Petitioner *John* to his deceased Son, are not fully executed, that the Petitioner *Anna*, Administrator on the Estate of the said *John McAllister*, deceased, deliver up the same to the Petitioner *John*, he cancelling and delivering her the Bonds mentioned in the Petition, payable for *One Hundred forty six Pounds thirteen Shillings and four Pence*, and giving her good Security for the Payment of *forty Pounds* lawful Money at three annual Payments, from and after the 15th Day of *March* last, with lawful Interest for the Payment from the fifteenth Day of *September* next, the said *Anna* first giving sufficient Security to the Judge of Probates for the County of *Worcester*, for accounting for said Sum of *forty Pounds*, and that the said *Anna* have reserved to her so much of the new House (so called) where she now dwells, as may be needful for her and her Children.

Sent up for Concurrence.

The Committee appointed on the Petition of Mr. *Thomas Prince*, Reported thereon. Report on Petition of Rev. Thomas Prince.

Read, and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Superiour Court, be, and they hereby are, impowered to take the Return of the Division of Lands therein mentioned under Consideration, and if it appears to them just and reasonable, that they accept it, and order the same to be Recorded, which shall be good and valid in the Law, the Non-attendance of one of the Committee appointed for the Division therein mentioned notwithstanding.

Sent up for Concurrence.

Ordered, That the Committee appointed on the Supply of the Treasury, prepare and bring in a Bill enabling the Treasurer to borrow the Sum of £.12,000 to be brought in by a Tax in 1758, unless the Province receive a Parliamentary Grant to prevent the same. Order for a Supply.

Message to the Council. *Ordered*, That Major *Freeman* go up with a Message to the honourable his Majesty's Council, to desire a Petition of the Inhabitants of a Place called *Merryconeague*, may be sent down.

Who returned, that he had delivered the Message.

Message to the Council. *Ordered*, That Col. *Cotton* go up with a Message to the honourable his Majesty's Council, to acquaint them the House have been informed that Capt. *Dowse*, Commander of the *Snow Prince of Wales*, has impressed one *Henry Wilson*, a Soldier enlisted into his Majesty's Service for the present Campaign, and to desire they would give Orders for his Dismission; and also that they would give Directions to said Captain, not to impress any enlisted Soldier for the future, nor any Persons out of Coasting Vessels belonging to the Province.

Who returned, that he had delivered the Message.

Letter from Benj. Franklin, Esq; bro't down. *John Otis*, Esq; brought down a Letter directed to his Honour the late Lieut. Governour, from *Benjamin Franklin*, Esq; dated *March 26th 1757*, with the following Vote of Council thereon, *Viz.* In Council *April 11th 1757*.

Read and *Ordered*, That *Benjamin Lynde*, and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to take the within Letter under Consideration, and Report what they think proper for this Court to do in the Affair therein mentioned. Sent down for Concurrence.

Read and concur'd, and Mr. *Gridley*, Col. *Worthington*, and Col. *Otis*, are joined in the Affair.

Then the House adjourn'd, 'till to Morrow Morning Nine o'Clock.

Martis 12. Die Aprilis, A. D. 1757.

Report on Petitions of sick and wounded Soldiers, in 1755. **T**HE Committee appointed on Petitions from sick & wounded Soldiers, who were in the Expedition against *Crown-Point* in 1755, Reported on sundry of said Petitions, which were read, and the Reports severally accepted; and thereupon, *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Benjamin Hills*, for the Use of *Simon Wade*, 46s. to *William Lawrence*, Esq; for the Use of *Samuel Douglass*, £.4 7s. 4d. to Mr. *Thomas Lancaster*, for the Use of *William Hobson*, 13s. 4d. to Mr. *Samuel Witt*, for the Use of *John Hutson*, 30s. and to Capt. *Ephraim Spaulding*, for the Use of *Robert Lindsey*, 16s. in full Consideration of the Expences in the first *Crown-Point* Expedition, in their several Petitions respectively mentioned.

Sent up for Concurrence.

In 1756. The Committee appointed on Petitions from sick Soldiers, who were engaged in the last Expedition against *Crown-Point*, Reported on sundry of said Petitions, which were read with the Reports, and severally accepted; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to *Moses Marcy*, Esq; for the Use of *Samuel Leech*, £.3 9s. 2d. for the Use of *James Johnson*, 33s. and for the Use of *Moses Clark*, £.4 16s.

£.4 16s. to Capt. *Henry King*, for the Use of *Elisha Rich*, £.3 14s. and for the Use of *Daniel Stockwell*, 30s. to *Henry Gibbs*, Esq; of *Salem*, for the Use of *Thomas Reddington*, £.6 1s. 11d. to Mr. *Elijah Porter*, for the Use of *John Bradstreet*, 29s. to *Isaac Merrill*, Esq; for the Use of *Pelatiah Watson*, £.3 11s. 6d. to *Timothy Paine*, Esq; for the Use of *Robert Smith*, £.4 6s. to Capt. *Edward Davis*, for the Use of *Mary Baker*, £.6 10s. to Mr. *Ephraim Sherman*, for the Use of *Nathanael Hutson*, £.4 13s. to *Henry Gibbs*, Esq; of *Newton*, for the Use of *Nehemiah Fuller*, 53s. to *Thomas Clap*, Esq; for the Use of *Micajah Juell*, 44s. 8d. to Mr. *Eliphalet Whiting*, for the Use of *Robert Ray*, £.3 10s. 8d. and for the Use of *Margaret Barweek*, 42s. to Capt. *Jabez Upham*, for the Use of *Isaiah Chadwick*, £.3 18s. to Mr. *John Temple*, for the Use of *Samuel Pratt*, 29s. 6d. and for the Use of *Richard Melandy*, 50s. to Mr. *Gideon Lyman*, for the Use of *Nathan Allen*, 55s. and to *Jonathan Patterson*, £.4 19s. 8d. in full Consideration of the Expences whilst in the Service on the last *Crown-Point* Expedition, in their Petitions respectively mentioned.

Sent up for Concurrence.

The Committee appointed to prepare a Supply-Bill, Reported Report of a Supply Bill.
a Bill Intituled, *An Act for supplying the Treasury with the Sum of Twelve Thousand Pounds, and for applying the same to defrey the Charges of the late Expedition against Crown-Point*: Which the Chair-man read at his Place, and then delivered in at the Table.

The said Bill was read a first, second and third Time, and pass'd to be Engros'd.

Sent up for Concurrence.

The Committee appointed on the Petition of *Timothy Bancroft*, Report on Petition of Tim. Bancroft
Reported thereon.

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to Capt *Joshua Hutchins*, for the Use of the Petitioner, the Sum of *three Pounds*, in Consideration of the half Pay he was intitled to on his entring into the Service on the last Expedition against *Crown-Point*.

Sent up for Concurrence.

The Committee appointed on the Petition of *Elisha Cumings*, Report on Petition of Elisha Cumings.
Reported thereon.

Read, and accepted, and Ordered, That the Treasurer be, and he hereby is, directed to pay to Mr. *Elijah Porter*, for the Use of the Petitioner *Elisha Cumings*, the Sum of *nineteen Pounds four Shillings*, in full of his Wages for eight Months Service on the last Expedition against *Crown-Point*, his not being born in the Muster-Roll notwithstanding.

Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Eastabrooks*, Report on sundry Petitions.
and other Petitions of the like Import, Reported on the Petition of *Ezekiel Chandler*.

Read, and accepted, and Ordered, That the Treasurer pay to *Gamaliel Bradford*, Esq; for the Use of the Petitioner, his full Wages, his Arms not being returned notwithstanding. Ezek. Chandler.

Sent up for Concurrence.

The said Committee Reported on the Petition of *Abraham Crockett*, Abra. Crockett.
Crockett.

Read,

Read, and accepted, and *Ordered*, That the Treasurer pay to Major *Freeman*, for the Use of the Petitioner, the Sum of *four Pounds* stopped out of his Wages, on Account of his Arms not being returned. Sent up for Concurrence.

John Foster. The said Committee Reported on the Petition of *John Foster*.

Read, and accepted, and *Ordered*, That the Treasurer pay to the Petitioner the full Wages due to his said Son, as made up in the Muster-Roll, without any Deduction for his Arms not being returned. Sent up for Concurrence.

Ezek. Jewet. The said Committee also Reported on the Petition of *Ezekiel Jewet*.

Read, and accepted, and *Ordered*, That the Treasurer pay to Mr. *Jonathan Foster*, for the Use of the Petitioner, the full of his Wages, his Arms not being returned notwithstanding.

Sent up for Concurrence.

Lawrence Ekins.

The said Committee also Reported on the Petition of *Lawrence Ekins*.

Read, and accepted, and *Ordered*, That the Petition be dismissed accordingly.

Petition of
Select-Men
of Salisbury.

A Petition of *Winthrop True*, and others, Select-Men of the Town of *Salisbury*, in the County of *Essex*, praying an Allowance of the Charge said Town was at occasioned by two Soldiers in the Province Service, being cast away there in *Jan. 1755*, one of whom died, and the other was much frozen and taken Care of by them till he recovered, agreeable to the Account exhibited.

Read and *Ordered*, That this Petition be committed to Col. *Murray*, Mr. *Gowen*, and Major *Freeman*, the Committee on the Petition of *Nathanael Fitts*, to consider and Report thereon.

Petition of
Jonas Newton

A Petition of *Jonas Newton* of *Rutland*, in the County of *Worcester*, setting forth, that being an enlisted Soldier in the late *Crown-Point* Expedition, he proceeded and continued in the Service till he was taken sick at *Lake-George*, and after some Time ordered down to *Albany*, when by the Advice of his Doctor, he (meeting with a convenient Opportunity) returned home, and remained very ill there till *November* following; and praying that he may be allowed his Wages, the Order that no Person who left the Army without the Leave of the Commanding Officer, should be born in the Muster-Roll notwithstanding.

Read and *Ordered*, That this Petition be committed to Mr. *Flucker*, Capt. *Hubbell*, and Capt. *Baker*, to consider and Report thereon.

Report of a
Vote relating to the
Excise &c.

Col. *Cotton*, Reported according to Order, the following Draught of a Vote, which was read and accepted, viz.

Whereas in the Act Intituled, An Act for granting unto his Majesty an Excise on Spirits distilled, and Wine, and upon Limes, Lemmons and Oranges, *which commenced the 26th of March 1756. It is among other Things enacted*, 'That to every Person Licenced
' by the Sessions, and to every Person having Permit as aforesaid,
' the said Farmer or his Deputy (when said Persons shall account
' with them) shall give two Receipts under their Hands for what
' each of them respectively have received, either as Duty or as
' Forfeiture, or in any other Way; and said Receipts shall ex-

‘ press the true and just Sum received, and the Consideration for
 ‘ which it was received : And one of the said Receipts shall be
 ‘ lodged within one Month after the Date thereof, by each Per-
 ‘ son respectively to whom said Receipts shall be given, with the
 ‘ Clerk of the Sessions for the County wherein such Person lives,
 ‘ on Penalty of *forty Shillings*, and of being rendered incapable
 ‘ of renewing his or her Licence or Permit for the future. And
 ‘ the Clerk aforesaid shall transmit a true and fair Copy of the
 ‘ Receipts that shall be lodged with him, to the Secretary of this
 ‘ Province, who shall lay the same before this Court, &c.”

*And it being represented to this Court, that the Time limited in the
 aforesaid Paragraph, for the lodging the said Receipts in the Offices of
 the Clerks of the Sessions of the Peace, within one Month from the Ex-
 piration of said Act (which was the 26th of March last) will be im-
 practicable :* Therefore,

[be]

Resolved, That the several Persons obliged in this Act to lodge
 such Receipts at that Time, shall be allowed till the 26th of *May*
 next to lodge such Receipts, the Time in said Paragraph menti-
 oned notwithstanding ; and that this Resolve be published in the
 public Prints.

Sent up for Concurrence.

The Committee appointed on the Memorial of Dr. *Miles Whit-*

Report on
 Memorial of
 Dr. *Whit-*
worth.

worth, Reported thereon.
 Read, and accepted, and *Ordered*, That there be allowed and
 paid out of the public Treasury to the Memorialist, Chirurgeon's
 Pay from the 10th of *May* 1756, to the Time of dismissing the
 Army on the last *Crown-Point* Expedition, for his Services as
 Chirurgeon to Col. *Plaisted's* Regiment, during that Time.

Sent up for Concurrence.

A Memorial of Sir *William Pepperrell*, Baronet, praying that his
 Services in the Reduction of *Louisbourg* in the Year 1745, may be
 taken under Consideration, and such Allowance made him
 for his Expences and Damages in his private Affairs occasioned
 thereby, as shall be thought reasonable.

Read and *Resolved*, That the House take under Consideration
 a Grant to the Memorialist for his said Services, at four o'Clock
 Afternoon.

A Petition of *Timothy Parker*, Captain of a Company in the late
 Expeditions against *Crown-Point*, praying that a Mistake made in
 his Wages may be Rectified, and he allowed to receive Pay agre-
 able to the Establishment made for the last Expedition from the
 18th of *February* 1756, to the 1st Day of *July* following, his being
 made up for that Time, agreeable to the Establishment for the first
 Expedition notwithstanding. Also,

Petition of
Tim. Parker.

A Petition of *James Man*, praying that the half Pay promised
 by the Government to such as were in the Expedition against
Crown-Point in 1755, and should enlist a-new into the Service
 the last Year, may be allowed him, the same being omitted in
 making up the Muster-Roll of the Company he belonged to not-
 withstanding.

Petition of
James Man.

Read and *Ordered*, That Mr. *Flucker*, Mr. *Hunt*, and Capt. *Newhall*, be a Committee to take the said Petitions under Consideration, and Report thereon respectively.

Order on
Memorial of
Wm. Williams.

On a Motion made and seconded, *Ordered*, That a Memorial of *William Williams*, as entred the 17th of *February* last, be committed to Major *Freeman*, Mr. *Morey*, and Mr. *Lyman*, for Consideration, and that the said Committee be directed to sit forthwith, and Report thereon as soon as may be.

Petition of
John Gould
and Comp.

A Petition of *John Gould* and Company, of *Boston*, in the County of *Suffolk*, shewing that they are concerned in the distilling Business in said Town, but by Reason of their not being licenced to retail spirituous Liquors, they are put to great Inconveniencies in carrying on said Business; and praying that the Court of Sessions now held for said County, may be empowered to Licence them for that Purpose.

Order
thereon.

Read and *Ordered*, That the Prayer of this Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be, and they hereby are, empowered at their present Sessions, to grant the Petitioners a Licence (if they see fit) to retail spirituous Liquors at their Distill-House in *Boston*, they first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Report on
Petition of
John Foster.

The Committee to whom was referred the Consideration of the Petition of *John Foster*, Reported thereon.

Read and accepted, and *Ordered*, That the Treasurer pay to the Petitioner the full Wages due to his said Son as made up in the Muster Roll, without any Deduction for his Arms not returned.

Sent up for Concurrence.

Petition of
Sam. Capen.

A Petition of *Samuel Capen* of *Palmer* in the County of *Hampshire*, praying an Allowance of five Weeks Wages due to his Son *Abijah Capen*, deceased, on the last *Crown-Point* Expedition, being so much Time made up short in the Muster-Roll of Capt. *Lane's* Company, to which he belonged.

Read and *Ordered*, That this Petition be committed to Col. *Murray*, Col. *Miller*, and Mr. *Whitney*, that they examine the said Muster-Roll, and Report.

Petition of
Seth Root.

A Petition of *Seth Root*, setting forth, that he enlisted into the Service on the first *Crown-Point* Expedition, and continued therein till the Army was dismissed, but by Mistake was made up in the Muster-Roll to the 11th of *October* only, whereby he is deprived of more than two Months Wages; and praying that he may be allowed his full Pay, the said Omission notwithstanding.

Read and *Ordered*, That Mr. *Taylor*, Col. *Miller*, and Mr. *Jacob Porter*, be a Committee to consider this Petition, & Report thereon.

Petition of
Eldad Taylor,
Esq;

A Petition of *Eldad Taylor*, of *Westfield*, in the County of *Hampshire*, Esq; praying Allowance for Entertainment afforded to sundry Soldiers on their Return from the Frontiers into the Government of *Connecticut* in 1755, and also to Capt. *Parker's* Company

on their March to join the Army at *Lake-George*, who were detained at said Town, in searching for and burying three Soldiers belonging to their Company, drowned in passing the River there.

Read and *Ordered*, That *Caleb Cushing*, Esq; *Mr. Morey*, and *Mr. Prentice*, be a Committee to take this Petition under Consideration, and Report thereon.

On a Motion made and seconded, A Memorial of *Florentius Vassall*, Esq; as entred the 23d of *Febr.* last, and referred, was read again, and

Order on
Memorial of
*Florentius
Vassall*, Esq;

Ordered, That *Mr. Welles*, *Mr. Gridley*, *Col. Otis*, *Col. Marcy*, and *Col. Clap*, with such as the honourable Board shall join, be a Committee to take under Consideration the Memorial of *Florentius Vassall*, Esq; & Report what they judge proper for this Court to do thereon.

Sent up for Concurrence.

A Petition of *John Worthington*, Esq; in Behalf of *Timothy Woodbridge* of *Stockbridge* in the County of *Hampshire*, Esq; praying an Allowance for his Time and Expences, in endeavouring to purchase of the Indian Claimers the Lands lying in the Western Parts of the Province, agreeable to the Directions he received for that Purpose from a Committee of the General Court in the Year 1754.

Petition of
John Wor-
thington, Esq;

Read, and *Ordered*, That *Capt. Newhall*, *Mr. Humphry*, and *Col. Otis*, be a Committee to take this Petition under Consideration, and Report thereon.

Post Meridiem.

A Petition of *Nathanael Cooke*, Captain of a Company in the last Expedition against *Crown-Point*, praying an Allowance to sundry of his Men for four Days Billetting themselves at *Boston*, while they were waiting to receive their Arms and Accoutrements, before they marched in said Service.

Petition of
Nath. Cooke.

Read, and *Ordered*, That this Petition be committed to *Col. Williams*, *Mr. Taylor*, and *Capt. Hutchins*, to consider, and Report thereon.

A Petition of *Epas Sargent*, Esq; and others, Survivors of those who built the new Meeting-House in the first Precinct in the Town of *Glocester*, in Behalf of themselves, and of *Samuel Stevens*, and others, Committee of said Precinct, and in their Behalf, praying that they may be impowered to convey to the said Precinct all the vacant Room in the Galleries in said House belonging to the said Survivors, and the Heirs of the other Builders, some of whom are Minors, and unable to join in the said Conveyance, without the Interposition of this Court.

Petition of
Epas Sargent,
Esq;

Read, and *Ordered*, That this Petition be committed to *Col. Jones*, *Capt. Howard*, and *Major Freeman*, to consider and Report thereon.

'The Committee appointed to take under Consideration the Petition of *Benjamin Burt*, Reported thereon.

Report on
Petition of
Benj. Burt,

Read, and not accepted, and *Ordered*, That the Petition be re-committed.

The

Report on
Petition of
Morgan Caffery. The Committee appointed on the Petition of *Morgan Caffery*, Reported verbally ; and thereupon,
Ordered, That the Consideration thereof be referred till the next *May* Sessions.

Petition of
Joshua Bradford. A Petition of *Joshua Bradford*, in Behalf of the Inhabitants of a Place called *Medumcook*, in the County of *York*, setting forth their distressed Circumstances by Reason of their being exposed to the Barbarities of the Indian Enemy, and praying that a Number of Soldiers may be posted there for their Defence & Security, while employed in cultivating their Lands for the Support of themselves and Families.

Read, and *Ordered*, That ten of the Inhabitants of *Medumcook* be put into the Pay & Subsistence of the Government, alternately, under the Care of a Serjeant, agreeable to the Establishment for the Eastern and Western Frontiers. Sent up for Concurrence.

Question on
a Grant to
Sir *William*
Pepperrell. The House according to Order, took under Consideration the Memorial of Sir *William Pepperrell*, Bart. And after a large Debate thereon, the Question was put,

Whether it be the Mind of the House now to make any Grant to the Memorialist ? And it pass'd in the Negative.

Petition of
Seth Hudson. A Petition of *Seth Hudson*, Commanding Officer at the Block-House in *West-Hoosuck*, so called, in the County of *Hampshire*, in Behalf of the Inhabitants there, praying that a Committee may be appointed and directed to go up, and view their Situation and Strength of their Block-House, and hear their Complaints, agreeable to a Petition of *Josiah Horsford* and others, presented to the Court in *January* last, and that such further Encouragement may be given them for their Security, as shall be judged meet.

Read and *Ordered*, That Col. *Murray*, Col. *Marcy*, and Col. *Jones*, be a Committee to take this Petition under Consideration, and Report thereon.

Message to
the Council. *Ordered*, That Col. *Cotton* go up with a Message to the honourable Board, to enquire, Whether they have passed upon the Report of the Committee of both Houses on the Bill for establishing the Time of holding the common Law Courts through the Province, and if they have not, to desire them to pass thereon as soon as possible.

Who returned, that he had delivered the Message.

Then the House adjourn'd, 'till to Morrow Morning Nine o'Clock.

Mercurii 13. Die Aprilis, A. D. 1757.

Bill bro't
down.

R *Ichard Cutt*, Esq; brought down a Bill Intituled *An Act to dissolve the Marriage of Lydia Kellog with Ephraim Kellog, and to allow her to marry again*. Pass'd in Council, viz. In Council *April* 13th 1757. Read a first and second Time, and pass'd to be Engross'd. Sent down for Concurrence.

Read a first and second Time.

A Bill Intituled *An Act appointing the Times for holding the Superior Courts of Judicature &c. in the Counties of Plymouth and Barnstable for the present Year.* Pass'd in Council, viz. In Council April 13th 1757. Read a first and second Time, and pass'd to be Engross'd. Bill bro't down.

Sent down for Concurrence.

Read three several Times; and pass'd a Concurrence.

Ordered, That the Bill Intituled *An Act providing Remedy for Bankrupts and their Creditors,* be read to Morrow Morning at ten o' Clock. Bill read.

The Committee appointed to consider the Petition of *Robert Roundy,* Reported thereon. Read, and thereupon Report on Petition of Robt. Roundy.

Voted, That the Judge of Probate for the County of *Essex* be, and he hereby is, authorized and impowered to appoint some suitable Person, Administrator on the Estate of *Ebenezer Kemball,* deceased, instead of *Ebenezer Kemball* the Son therein mentioned, who is absconded, and left the Administration of the said Estate unfinished.

Sent up for Concurrence.

The Account of the Guardians of the *Mattakeset* Indians, was presented for Allowance. Account of Guardians to Indians.

Read, and committed to Mr. *Turner,* Mr. *Humphrys,* and Mr. *Barker,* to consider and Report thereon.

Ordered, That the Petition of *John Bradstreet,* Esq; as entred the 17th of *October* 1754, be revived, and committed to Col. *White,* Mr. *Morey,* and Mr. *Tasker,* to consider and Report thereon. Order on Petition of John Bradstreet, Esq;

The Committee appointed to consider the Petition of *Ephraim Winship,* Reported according to Order.

Read, and accepted, and Ordered, That the Petitioner be allowed to be paid out of the publick Treasury *four Pounds* annually, during his natural Life. Sent up for Concurrence. Report on Petition of Eph. Winship.

The Committee appointed to consider the Petition of *Benjamin Burt,* Reported according to Order. Report on Petition of Benj. Burt.

Read and accepted, and thereupon Ordered, That the Petitioner be allowed *One Pound six Shillings and eight Pence,* in Consideration of his Gun therein mentioned; and that the said Sum be paid to Mr. *Jonathan Foster,* for the Use of the Petitioner.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *Seth Root,* Reported according to Order.

Read, and accepted, and Ordered, That the Sum of *two Pounds thirteen Shillings and four Pence,* be paid out of the publick Treasury to *Eldad Taylor,* Esq; for the Use of the Petitioner, for his Service therein mentioned. Sent up for Concurrence. Report on Petition of Seth Root.

The Committee appointed on the Petition of *Mary Herrick,* Reported thereon. Report on Petition of Mary Herrick.

Read, and in Answer thereto, Ordered, That there be paid out of the publick Treasury to Mr. *Barker,* for the Use of the Petitioner, the *four Pounds* therein mentioned.

Sent up for Concurrence.

Memorial of *Benj. Goldthwait, Esq;* 25th of *August* last, he received a Commission from his Excellency Governour *SHIRLEY*, to command the Six Hundred Recruits raised the last Year for the *Crown-Point* Expedition, and was at considerable Expence in proceeding with those Forces to *Albany*, and *Lake-George* ; and praying an Allowance therefor, as shall be judged reasonable.

Read and *Ordered*, That the Petition be dismiss'd.

Post Meridiem.

Petition of *Eben. Davis.* A Petition of *Ebenezer Davis* of *Sturbridge*, in the County of *Worcester*, shewing that he enlisted in the Expedition designed against *Canada*, under Capt. *William Phips*, who received (on Account of the Petitioner) his billeting Money, but dying soon after, never delivered it to him ; and praying he may be allowed the same out of the public Treasury.

Read, and committed to Col. *Marcy*, Col. *Norton*, and Capt. *Sprague*, to consider and Report thereon.

Report on *Benj. Pratt, Esq;* The Committee appointed to take under Consideration the Memorial of *Benjamin Pratt, Esq;* and others, a Committee of the Inhabitants of the Town of *Boston*, Reported according to Order. Read, and after a Debate,

Ordered, That Col. *Hale*, Col. *Lawrence*, *James Russell, Esq;* Mr. *Welles*, and Col. *Worthington*, be a Committee to prepare a Bill for taking the Valuation of the Estates thro' the Province.

The Hearing on Major *Noyes's* Affair and Question thereon. The House, according to the Order of the Day, entered into the Consideration of the Subject-Matter of the Complaint of sundry Inhabitants of *Sudbury*, respecting the Male Administration, &c. of *John Noyes, Esq;* their Representative : The Parties on both Sides were admitted upon the Floor of the House, and after they were fully heard upon the Merits of the Complaint, they withdrew. And after a Debate, the Complaint was read Paragraph by Paragraph, and the Questions were put severally upon them,

Whether the Complainants had supported or proved their several Allegations ? It pass'd in the Negative. And

Ordered, That the Complaint be dismiss'd. And then,

Committee on suspected Frauds. *Voted*, That Col. *Quincy*, Mr. *Johnson*, Capt. *Thomas*, Mr. *Stickney*, and Mr. *Jordan*, be a Committee to enquire into the Frauds suggested to be in the Muster-Roll of Capt. *William Jones*, on the *Crown-Point* Expedition, and Capt. *John Smith's* Muster-Roll of a Scouting Company *Anno 1755*, and Report.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

Jovis 14. Die Aprilis, A. D. 1757.

Bill enacted. **A**N Engross'd Bill Intituled, *An Act appointed the Times for holding the Superiour Courts of Judicature, &c. in the Counties of Plymouth and Barnstable, for the present Year.*

Read and *Resolved*, That the Bill pass to be Enacted.

A Bill Intituled, *An Act in Addition to an Act Intituled, ' An Act* Bill read.
 ' subjecting the Inhabitants of the Island of *Nantucket*, and the
 ' People called *Quakers* in other Parts of the Province, to an
 ' Assessment towards the Charge of defending his Majesty's Ter-
 ' ritories, in Lieu of their Personal Service.'

Read a first Time.

A Message from the honourable Board, by *William Brattle*, Esq; Message
 importing, That the Rev. Mr. *Appleton* of *Cambridge*, has been from the
 desired to preach a Funeral Sermon (at the public Lecture this Day) Council.
 on the Death of the late Lieut. Governour, and that the Board
 will, (if it be agreeable to the honourable House) order Seats to
 be reserv'd for the Members who shall attend said Service.

Voted, That Col. *Cotton* go up with a Message to the honour- Message to
 able Board, to acquaint them the House propose to attend the the Council.
 public Lecture this Day; and desire the honourable Board would
 order their Door-Keeper to prepare Seats accordingly.

Who returned, that he had deliverd the Message.

Post Meridiem.

A Petition of *Nathanael Low* of *Topsfield*, in the County of *Essex*, Petition of
 shewing that he was one of the Six Hundred Men raised the last *Nath. Low.*
 Year to join the Forces at *Lake-George*, that he entred into the
 Service in *August* last, and was afterwards ordered to attend the
 sick People at a Place called the *Half-Moon*, which prevented his
 being made up in any Muster-Roll; and praying an Allowance
 out of the public Treasury for his said Services.

Read and *Ordered*, That this Petition (together with the Pe- and *Samuel*
 tition of *Samuel Harper*; of the like Import) be committed to Col. *Harper.*
Clap, Capt. *Thomas*, and Mr. *Taylor*, to consider and Report there-
 on respectively.

The Committee appointed to consider the Petition of *John Crane*, Report on
 Reported thereon, according to Order. *John Crane.*

Read, and accepted, and *Ordered*, That *John Crane*, Captain of
 the third Military Company in the Town of *Dartmouth*, be, and
 hereby is, authorized and impowered to receive and retain to his
 own Use, out of the Fines which shall be recovered by his Clerk,
 of those delinquent Soldiers which did not appear at the General
 Muster on the 22d Day of *March* last, the *Forty six Pounds fifteen*
Shillings and one Penny, in the Petition mentioned, which he has
 advanced for hiring Soldiers for the present Expedition, the Over-
 plus (if any there be) to be applied as by Law is already pro-
 vided; he the said *Crane*, to render an Account of his Proceed-
 ings herein, to the Treasurer of the Town of *Dartmouth*, agreeable
 to Law.

Sent up for Concurrence.

A Complaint of *William Bullock* of *Rehoboth*, in the County of *Complaint*
Bristol, Lieutenant in the last *Crown-Point* Expedition, in the Re- of *Wm. Bul-*
 giment under the Command of Col. *Joseph Dwight*, against *James lock.*
Houfe, the Major of said Regiment, and praying the Interposition
 of this Court.

Read

Read, and committed to Mr. *Morey*, Col. *White*, Col. *Clap*, Col. *Murray*, and Mr. *Lyman*, to consider and Report thereon.

Committee on a Petition of *Eph. Hayward*. Ordered, That the Petition of *Ephraim Hayward*, as entered the 25th of *February* last, be committed to *Benjamin Reed*, Esq; Mr. *Welles*, and Capt. *Upham*, to consider and Report thereon.

Committee on Soldiers Billeting. Ordered, That Judge *Russell*, Col. *Williams*, *Thomas Foster*, Esq; Col. *Murray* and Mr. *Witt*, be a Committee to consider what is necessary to be done, that the Soldiers rais'd for the present Campaign, may be paid their Billeting now due, and which may be due till their March ; also what Allowance shall be made to the Officers for their Subsistence, and Report.

[Bill] I read. A Bill Intituled *An Act for Enquiring into the Rateable Estates of the Province*. Read a first Time. And

Ordered, That the Bill be read a second Time to Morrow Morning ten o'Clock.

Petition of *Wm. Rice*. A Petition of *William Rice*, Guardian to *Keziah* and *Phebe Hayden*, Daughters of *Nath. Heyden*, late of *Sudbury*, in the County of *Middlesex*, deceased, praying Liberty to sell the two Fifths of five Acres of Land belonging to said Minors for their Benefit.

Read, and committed to Capt. *Barrett*, Mr. *Hunt*, and *Benjamin Reed*, Esq; to consider and Report thereon.

Petition of *James Whitcomb*. A Petition of *James Whitcomb*, Agent for the *Narragansett* Propriety Number *Four*, lying partly at a Place formerly called *Quabbin*, now *Greenwich*, and partly West of, and adjoining to *Hatfield*, in the County of *Hampshire*, as entered the 8th of *June* last and refer'd, was read again ; and

Ordered, That the same be dismiss'd.

Petition of *John Bagley*. A Petition of *John Bagley* of *Braintree*, in the County of *Suffolk*, shewing he was impressed into his Majesty's Service in *May* 1756, and marched to *Sheffield*, where he was taken sick, and after three Weeks was so far recovered as to reach *Albany*, but his Sickness returning upon him confined him till *October* following, which was very expensive to him ; and praying an Allowance therefor.

Read, and committed to Capt. *Livermore*, Col. *Bradford*, and Mr. *Frye*, to consider and Report thereon.

Report on Petition of *Sam. Capen*. The Committee appointed on the Petition of *Samuel Capen*, Reported thereon.

Read, and accepted, and thereupon, Voted, That the Petitioner be allowed *two Pounds* Lawful Money, in full for the five Weeks therein mentioned. Sent up for Concurrence.

Petitions of *Philip Walker*, & others. The Petitions of *Philip Walker*, *William Pulling*, *Daniel Gidding*, Junr. Heirs of *Robert Matthews*, and *Elisha Bolton*, Soldiers in the late Expeditions, praying they may receive their Dues out of the public Treasury, the Obstructions mentioned notwithstanding.

Read, and committed to Col. *White*, Capt. *Kingley*, and Mr. *Stickney*, to consider and Report thereon respectively.

The

The Committee appointed to consider the Petition of Capt. *Nathanael Cooke*, Reported according to Order. Report on
Petition of
Nath. Cooke.

Read, and accepted, and *Ordered*, That there be paid to the several Persons named in the Receipts exhibited, (with the Petitioner) the Sum of *six Shillings* to each Person, for his subsisting himself, the Time therein mentioned ; and that the whole Sum amounting to *ten Pounds ten Shillings*, be paid into the Hands of Capt. *Nathanael Cooke*, to be paid to the several Persons to whom the same is due, he to be accountable.

Sent up for Concurrence.

Then the House adjourn'd, 'till to Morrow Morning Nine o'Clock.

Veneris 15. Die Aprilis, A. D. 1757.

A Petition of *William Richardson*, Esq; in Behalf of the Select-Men of *Lancaster*, in the County of *Worcester*, representing sundry Mistakes in their last Warrant delivered to the Constable of said Town ; and praying they may be allowed to Rectify the same, for the Reasons mentioned. Petition of
William Richardson,
Esq;

Read, and committed to the Gentlemen appointed Yesterday upon the Petition of *Phillip Walker*, to consider and Report thereon.

An Engros'd Bill Intituled, *An Act for supplying the Treasury with the Sum of Twelve Thousand Pounds, and for applying the same to defray the Charges of the late Expedition against Crown-Point.* Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

A Petition of *Israel Ashley*, Esq; of *Westfield*, in the County of *Hampshire*, in Behalf of sundry Inhabitants of said Town, shewing that he has collected sundry King's and Province Arms, from them who purchased the same of the Soldiers upon their Return from the late *Crown-Point* Expedition ; and praying an equitable Allowance for the said Purchasers, for the Reasons mentioned. Petition of
Israel Ashley,
Esq;

Read and *Ordered*, That the Petition be committed to Col. *Worthington*, Capt. *Howard*, Capt. *Newhall*, Mr. *Welles*, and Col. *Buckminster*, to consider and Report thereon.

Ordered, That *Richard Reed*, Esq; go up with a Message to the honourable Board, to enquire whether they have appointed a Commander for the Ship destin'd to protect the Fishery, &c. Message to
the Council.

Who returned, that he had delivered the Message.

John Chandler, Esq; came down from the honourable Board, and informed the House, that Yesterday at a full Board, they determined to defer the Appointment of a Commander for the Ship above-mentioned, till Tuesday next. Message
from the
Council.

The House took this Message under Consideration, and *Voted*, That the following Answer should be sent up to the honourable Board, by Mr. *Welles*, Mr. *Flucker*, Mr. *Tasler*, Col. *Otis*, Col. *Hale*, Capt. *Stevens*, and *Thomas Foster*, Esq; viz. Message
voted.

Z z z z z

May

Message to
the Council.

May it please your Honours,

IT is with great Concern that the House are informed by your Message, that the Consideration of the Affair of putting the Province Ship into Commission, is again referred for several Days to come, notwithstanding this House, fully sensible of the Necessity of her being speedily Commissioned, signified their earnest Desire thereof, by a Message to his Majesty's Council, six Days ago; and being still of the same Opinion, now beg Leave to represent to your Honours, that as there is now an Embargo on all our Navigation, and the Mariners sensible of this, and under Necessity to get Employ as soon as possible, would very readily (in sufficient Numbers) enlist themselves, whilst, if there should be any longer Delay, there is Danger that an Impress would be necessary, which might not only take up longer Time to procure the Men, and force many against their Wills, who will doubtless embrace the first Opportunity to desert, and so continually give fresh Occasions to renew an Impress, a Thing abhorrent to the English Constitution, and peculiarly odious in this Country, but also distress the Trade and Fishery, which this Ship (at an immense Cost to the Province) is designed to protect, by breaking up the Companies and Crews of many of the Vessels, and besides give Occasions for horrid Murders; a late Instance of which we have experienced, with uncommon Aggravations.

We would but mention, that as it's necessary the Ship should be fit for the Sea, as soon as the Embargo is over, in order to answer the Purposes for which she was built, so we think this can scarcely be done, but by the Assistance of the Officers and Company, or at least, neither so well, nor by a great deal so cheap; a Consideration of much Weight, in a Time of such a heavy Burthen of Charge on the Province.

For these and divers other Reasons that might be urged, we earnestly move your Honours, that Commissions may be made out (as soon as possible) to some suitable Person to command, and Officers to assist in navigating the said Ship, that so she may be (with the greatest Dispatch) manned and fitted for the Sea, for his Majesty's Service.

Who returned, that they had delivered the Answer above-written, to his Majesty's Council.

Post Meridiem.

Report on
Petition of
James Woodward.

The Committee appointed on Petitions from sick Soldiers on the last *Crown-Point* Expedition, Reported on the Petition of *James Woodward.*

Read and accepted, and *Ordered*, That the Petitioner be allowed out of the publick Treasury, *two Pounds five Shillings and eight Pence*, the said Sum to be paid into the Hands of *Mr. John Temple*, for the Use of said Petitioner. Sent up for Concurrence.

Report on
Petition of
Tho. Clarke,

The said Committee Reported on the Petition of *Thomas Clark*; Which was read, and accepted; and *Ordered*, That the Sum of

two

two Pounds be allowed to be paid out of the publick Treasury to Mr. *Merrell*, for the Use of the Petitioner.

Sent up for Concurrence.

The said Committee also Reported on the Petition of *Elisba Bolton* : Which was read, and accepted ; and *Ordered*, That the Sum of *three Pounds twelve Shillings*, be paid out of the public Treasury to Col. *Bradford*, for the Use of the Petitioner, in full Consideration for the Service in the Petition mentioned.

Report on
Petition of
Elisba Bolton.

Sent up for Concurrence.

The Committee appointed on the Petition of *Jonas Newton*, Reported thereon.

Read and accepted, and *Ordered*, That the Sum of *Eleven Pounds ten Shillings*, be paid out of the public Treasury to Col. *Murray*, for the Use of the Petitioner, in full for his Wages therein mentioned.

Report on
Petition of
Jonas Newton.

Sent up for Concurrence.

The Committee Reported on the Petition of *Peter Prescott* : Which was read, and accepted, and *Ordered*, That there be allowed to be paid out the public Treasury to the Petitioner *Two Pounds eight Shillings*, in full Satisfaction for his Service therein mentioned.

Report on
Petition of
Peter Prescott.

Sent up for Concurrence.

A Petition of *Joseph Morton* of *Boston*, in the County of *Suffolk*, shewing, that he has hired an House at the South End of said Town, late in the Occupation of *Jonathan Dwight*, which has been improved for a Tavern many Years ; and praying the Court of Sessions may be allowed to grant him a Licence in said House, for the Reasons mentioned.

Petition of
Jos. Morton.

Read, and *Ordered*, That the Justices of the General Sessions of the Peace for the County of *Suffolk*, be allowed (if they see Cause) to grant the Petitioner a Licence to keep a public House of Entertainment in the House he now lives in, provided the Petitioner first obtain the Approbation of the Select-Men of *Boston* for that Purpose.

Sent up for Concurrence.

The Committee appointed on the Petition of *William Richardson*, Esq; Reported according to Order.

Report on
Petition of
William Richardson,
Esq;

Read, and accepted, and *Ordered*, That the Tax for the Town and County Rate in the Town of *Lancaster* for the Year 1756, committed to *Asabel Phelps* to collect, be and hereby is confirmed & established, and the said *Asabel Phelps* is hereby fully impowered to collect the same, any supposed Mistake in the Rate Bills to him committed notwithstanding.

Sent up for Concurrence.

Petition of
Hannah Davis.

A Petition of *Hannah Davis* of *Boston* in the County of *Suffolk*, Widow, praying the Justices of the General Sessions of the Peace for said County, may be allowed (if they see Cause) to grant the Petitioner a Licence to Retail spirituous Liquors, the Time for granting Licences being elapsed notwithstanding.

Read and *Ordered*, That the Petition be dismiss'd.

The Bill for enquiring into the Rateable Estate of the Province, was read a second Time ; and Re-committed to make the proposed Amendments.

Bill read.

Bill read. An Engross'd Bill Intitled *An Act for raising a Sum of Money by Lottery, for the Encouragement of the Settlement called German-Town, in the Town of Braintree.*

Read and Resolved, That the Bill pass to be Enacted.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

Sabbati 16. Die Aprilis, A. D. 1757.

Petition of *Tho. Foster, Esq;* A Petition of *Thomas Foster of Plymouth, Esq;* exhibiting an Account amounting to eight Pounds nineteen Shillings and two Pence Farthing, expended upon the French Neutrals now at *Plymouth*; and praying an Allowance for that Sum out of the public Treasury:

Read, and committed to Mr. *Baker, Col. Norton, and Mr. Merrill*, to consider and Report thereon.

Report on Petition of *Solomon Goodwin.* The Committee appointed to consider Petitions from sick Soldiers on the last *Crown-Point Expedition*, Reported on the Petition of *Solomon Goodwin.*

Read, and accepted, and Ordered, That the Petitioner be allowed to be paid out of the public Treasury, one Pound twelve Shillings and eight Pence, in full for his Services mentioned.

Sent up for Concurrence.

Report on Petition of *Nath. Fitts.* The Committee Reported on the Petition of *Nathanael Fitts*: Which was read, and accepted; and

Ordered, That two Pounds Lawful Money, be paid out of the public Treasury to *Caleb Cushing, Esq;* for the Use of the Petitioner, in full Satisfaction for the Gun therein mentioned.

Sent up for Concurrence.

Report on Petition of *Elisba Keys.* The said Committee also Reported on the Petition of *Elisba Keys, of Shrewsbury*: Which was read, and accepted; and

Ordered, That the Sum of two Pounds two Shillings and three Pence, be paid out of the public Treasury to Mr. *Isaac Temple*, for the Use of the Petitioner, in full Satisfaction for the Services therein mentioned.

Sent up for Concurrence.

Soldiers Allowance. Voted, That the Officers and Soldiers raised for the present Expedition, be allowed and paid out of the public Treasury, five Shillings and eight Pence per Week for their Billeting, including the Allowance made for them by Lord *Loudoun*; and that said Officers Allowance be from the 25th of *March* last, till they receive the King's Allowance: And that the Billeting of the Soldiers be from the Time of their being muster'd, till they receive said Allowance.

Sent up for Concurrence.

Report on Petition of *Caleb Kingsbury.* The Committee appointed for that Purpose, Reported on the Petition of *Caleb Kingsbury of Needham*: Which was read, and accepted, and Ordered, That the Petitioner be, and he hereby is, impowered to join with the said *Ephraim Ware*, in the Partition of said Real Estate, as fully as the said *Israel*, the surviving Non-Compos Person might do if he were of a sound Mind, and not under Guardians, as therein mentioned.

Sent up for Concurrence.

A Bill Intituled, *An Act for further regulating the Proceedings of the Courts of Probate within this Province.* Bill read.

Read a third Time, and pass'd a Concurrence with the Amendments.

Sent up for Concurrence.

The Committee Reported on the Petition of *Eldad Taylor, Esq;* Report on Petition of *Eldad Taylor, Esq;*
Which as read, and accepted ; and

Ordered, That there be allowed to be paid out of the public Treasury, the Sum of *three Pounds thirteen Shillings and four Pence half Penny*, to the Petitioner, in full Consideration of the Account annexed.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *James Russell of Haverhill*, Reported thereon, according to Order. Report on Petition of *James Russell.*

Read, and accepted, and *Ordered*, That the Sum of *three Pounds five Shillings and eight Pence*, be paid out of the public Treasury to Mr. *Marsh*, for the Use of the Petitioner, in full Consideration for the Charge therein mentioned.

Sent up for Concurrence.

The Committee to whom was referred the Petition of *Joshua Davis*, for Consideration, Reported thereon, that the Petition be dismiss'd, the Facts therein suggested not being supported. Report on Petition of *Joshua Davis.*

Read and *Ordered*, That this Report be accepted.

The Committee appointed on the Petition of *John Perry*, Reported according to Order.

Read, and accepted, and *Ordered*, That the said *John Perry*, in his Capacity therein mentioned, be, and hereby is, impowered to make Sale of the two Acres and an half of Land mentioned, and to execute a good Deed thereof, he observing the Directions of the Law in that Case provided ; and giving sufficient Security to the Judge of Probate for the County of *Middlesex*, that the Proceeds of said Sale shall be put out at Interest, for the Benefit to the Heir *Thomas Perry*. Report on Petition of *John Perry.*

Sent up for Concurrence.

The Committee appointed to consider the Petition of *Judab Clarke*, Reported thereon, according to Order.

Read, and accepted, and thereupon, *Ordered*, That the Sum of *three Pounds*, be paid out of the public Treasury to the Petitioner at present ; and that the Petitioner be allowed *three Pounds per Annum*, till the further Order of this Court. Report on Petition of *Judab Clarke.*

Sent up for Concurrence.

William Brattle, Esq; brought down the Petition of *Jonah Galusha*, as entred the 11th of *January* last, and refer'd. Petition of *Jonah Galusha* bro't down.

Pass'd in Council, viz. In Council *April* 14th 1757. Read again,

And it appearing that the Petitioner has served the within-named Sarah Galusha, with a Copy of this Complaint, and she having made no Answer thereto :

Therefore,

Ordered, That the Prayer of the Petition be granted ; and that the Petitioner have Liberty to bring in a Bill accordingly.

Sent down for Concurrence. Read and concur'd.

Bill read.

A Bill Intituled, *An Act for Enquiring into the Rateable Estates of the Province.* Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence.

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The

Report on
Petition of
John Wright. The Committee appointed to consider the Petition of *John Wright*, Reported according to Order.

[insert be after not]

Read and not accepted, and *Ordered*, That the Petitioner serve the adverse Party Mr. *Gardner*, with a Copy of this Petition, that so he shew Cause (if any he have) on the second Thursday of the next *May* Sitting, why the Prayer thereof should not granted ; and the Execution on the last Judgment is stayed in the mean Time, provided the Petitioner give Security to the Sheriff of the County of *Suffolk*, to pay what shall finally be adjudged due, with Interest from this Time. Sent up for Concurrence.

Bill read.

A Bill Intituled, *An Act for supplying the Treasury with the Sum of Three Thousand five Hundred Pounds, and for lending the same to the Town of Boston.* Read a first Time.

Committee
for preparing
an Account
of Charges.

Voted, That *Thomas Flucker*, *James Russell*, and *Stephen Hall*, Esqrs; with such as the honourable Board shall join, be a Committee to prepare an Account of the Charges this Province have been at in supporting the late French Inhabitants of *Nova-Scotia*, as well those who were immediately ordered by that Government, as those who arrived here from some of his Majesty's Southern Governments, that the Accounts may be transmitted to Governour *LAWRENCE*, and the other to Mr. Agent *Bollan*, as soon as may be. Sent up for Concurrence.

Report on
Petition of
Sarah Mat-
thews.

The Committee appointed on the Petition of *Sarah Matthews*, Reported thereon.

Read, and thereupon, *Voted*, That the Province Treasurer be, and hereby is, directed to pay to *Sarah Matthews* therein-named, the full of the Wages due to her late Husband *Robert Matthews*, deceased, for his half Pay from the 17th of *December* 1755, to the 22d of *April* 1756, after the Rate of *one Pound six Shillings and eight Pence* per Month, amounting to the Sum of *four Pounds thirteen Shillings and four Pence*. Sent up for Concurrence.

Report on
Petition of
Tho. Williams
Esq;

The Committee appointed on the Petition of *Thomas Williams*, Esq; Reported according to Order.

Read, and accepted, and *Ordered*, That Subsistence be allowed to the several Persons contained in the Account exhibited (except Major *Ashley's* Company already paid) at the Rate of *four Shillings* per Week, and so in Proportion, amounting in the Whole to *Eighty seven Pounds ten Shillings* ; and that the same be paid into the Hands of the said *Thomas*, to be by him paid to the several Persons to whom the same is due, he to be accountable.

Sent up for Concurrence.

Bill read and
order'd to be
printed.

Ordered, That the Bill Intituled, *An Act providing Remedy for Bankrupts and their Creditors*, be referred for Consideration till the next *May* Session ; and that the Bill be printed in the mean Time for the Perusal of the Inhabitants of the Province.

Bill read.

A Bill Intituled, *An Act to dissolve the Marriage of Lydia Kellogg, with Ephraim Kellogg, and to allow her to marry again.*

Read a third Time, and pass'd to be Engross'd.

Sent up for Concurrence.

The

The Committee appointed on the Account of the *Mattakeffet* Indians, Reported according to Order.

Read, and accepted, and *Ordered*, That the Account be allowed; and that there be paid to the said Guardians, out of the said Indians Money in their Hands, the Sum of *Eleven Pounds three Shillings and two Pence*, in full Discharge of the Debt due to them; and that they be accountable to the said Indians for the Sum of *One Hundred Seventy two Pounds nineteen Shillings & seven Pence half Penny*. Sent up for Concurrence.

Order on
Guardians
to Indians
Account.

The Committee appointed to consider the Petition of *William Wood*, Reported thereon.

Read, and accepted, and *Ordered*, That the Petitioner be allowed to be paid out of the public Treasury, the Sum of *five Pounds six Shillings and eight Pence*, in full for his Services mentioned. Sent up for Concurrence.

Report on
Petition of
Wm. Wood.

Post Meridiem.

The Committee appointed on the Petition of *Moses Deshon*, Esq; Reported according to Order.

Read, and thereupon, *Ordered*, That the Sum of *Forty Pounds* be allowed to be paid the Petitioner out of the public Treasury, in full Consideration for his Services therein mentioned.

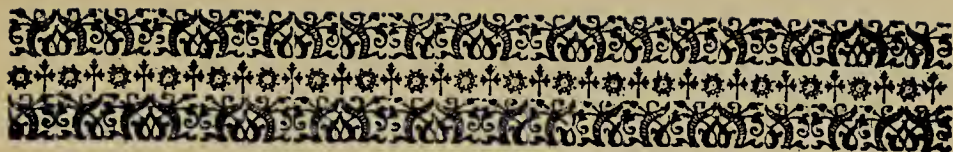
Sent up for Concurrence.

A Bill Intituled, *An Act for supplying the Treasury with the Sum of Three Thousand five Hundred Pounds, and for lending the same to the Town of Boston*.

Bill read.

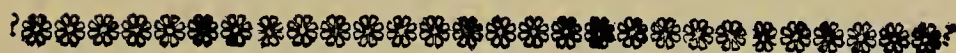
Read a second Time, and *Ordered*, That the further Consideration of this Bill, be referred till Tuesday next, three o'Clock Afternoon.

Then the House adjourn'd 'till Monday next, at ten o'Clock in the Forenoon.



V O T E S

Of the House of Representatives.



Lunæ 18. Die Aprilis, A. D. 1757.

Ordered, That Col. *Cotton*, Col. *Clap*, and the Clerk of ^{Committee} the House, be a Committee to prepare a List of the ^{for List,} *Travel and Attendance of the Members of the House* for the present Sitting, and Report.

Whereas William Caleb, *Servant to* Christian Van- ^{Treasurer} Horn, of Springfield, is born on the Rolls of Major House, and Capt. ^{directed.} Parker, for Pay as a Soldier ; but as he was not known by said Officers to be a Servant, he is not entred as such on their respective Rolls, and so his said Master cannot receive his Pay ; and said William is deceased in said Service, and his said Master without Remedy herein, without the Order of this Court : Therefore,

Voted, That the Treasurer be directed to pay the Wages of said Caleb, to said Christian Van-Horn, the Omission aforesaid notwithstanding. Sent up for Concurrence.

An engross'd Bill Intituled *An Act to dissolve the Marriage of Lydia Kellogg with Ephraim Kellogg, and to allow her to marry again.* Bill enacted.

Read and *Resolved*, That the Bill pass to be Enacted.

The Committee appointed to take under Consideration an Establishment for the first Officer, one Chirurgeon-General, and ^{Establishment Re-} three Chirurgeon's Mates, for the Forces raised by this Province, ^{ported.} for the ensuing Campaign ; Reported according to Order.

Read and *Ordered*, That the Report lie on the Table.

And, on a Motion made and seconded,

Ordered, That Col. *Williams*, Col. *Worthington*, and Col. *White*, be a Committee to prepare the Draught of a Message to the honourable his Majesty's Council, desiring them to appoint two Field-Officers more for the Forces raised by this Province for his Majesty's Service, under the Command of the Right Honourable the Earl of *Loudoun*, and Report. ^{Committee to prepare a Message to the Council.}

The Committee appointed on the Petition of *Samuel Harper*, ^{Report on Petition of Sam. Harper.} Reported thereon.

Read, and *Ordered*, That the Prayer of this Petition be granted, and that the Petitioner be, and hereby is, empowered (in his Capacity as Administrator) to make Sale of the Deceased's Real Estate

state mentioned in said Petition for the most the same will fetch, he observing the Directions of the Law respecting the Sale of Real Estates, and to make and execute a good Deed or Deeds for Conveyance thereof ; the Proceeds of such Sale to be disposed of as follows, *viz.* One Third of the Income for the Use of the Widow during Life, and the Remainder to be applied for the Payment of the Deceased's just Debts ; and after the Death of the Widow, her Dower also to be applied for the Payment of the Debts of the Deceased ; and the Overplus (if any there be) to be divided among the Heirs of the Deceased according to Law, provided sufficient Caution be given to the Judge of Probate for the County of *Worcester*, accordingly. Sent up for Concurrence.

Report on
Petitions of
sick and
wounded
Soldiers.

The Committee appointed on Petitions from sick and wounded Soldiers in 1755, Reported on sundry of said Petitions ; which were read, and the Reports severally accepted ; and thereupon

Ordered, That there be allowed and paid out of the public Treasury to Mr. *Thomas Lancaster*, as Executor of the last Testament of *Jeremiah Jewett*, deceased, the Sum of £.4 16s. 1d. to *John Worthington*, Esq; for the Use of *Samuel Wright*, £.3 4s. 10d. for the Use of *Elisha Ferry*, 39s. 2d. for the Use of Capt. *Ebenezer Hitchcock*, 17s. 4d. for the Use of *Edward Chapin* 52s. 9d. and for the Use of *Jonathan Parsons*, 30s. to Mr. *Gideon Lyman*, for the Use of *Jonathan Lankton*, £.15 3s. 10d. to Capt. *Solomon Pepper*, for the Use of *Daniel Hamilton*, £.5 15s. 6d. and to *William Richardson*, Esq; for the Use of *William Willard*, 32s. in full Consideration of the Expences on the Expedition against *Crown-Point* in 1755, in their respective Petitions mentioned.

Sent up for Concurrence.

Report on
Petition of
John Whipple

The said Committee also reported on the Petition of *John Whipple*. Read, and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that there be allowed and paid out of the public Treasury to Mr. *Daniel Staniford*, the Sum of *twenty three Pounds ten Shillings*, to be by him paid to the several Persons to whom the same is due, for their Billeting, as mentioned.

Sent up for Concurrence.

Report on
Petitions of
sick Soldiers.

The Committee appointed on Petitions from sick Soldiers on the last *Crown-Point* Expedition, Reported on sundry of said Petitions : Which were read, and the Reports severally accepted ; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to Mr. *Jonathan Foster*, for the Use of *Levi Andrews*, 44s. to *Joseph Gerrish*, Esq; for the Use of *Joseph Pettingell*, £.3 18s. 8d. and for the Use of *Francis Greenleaf*, 20s. 3d. to *Samuel White*, Esq; for the Use of *William Andrews*, 58s. 6d. and for the Use of *Reuben Richmond*, £.5 17s. 7d. to Capt. *Jonathan Whitney*, for the Use of *George Dickerson*, 42s. 8d. to *Caleb Cushing*, Esq; for the Use of *Samuel French*, 35s. 8d. for the Use of *Joseph Merrill*, 24s. 4d. for the Use of *John Eaton*, 48s. for the Use of *John Buswell*, 31s. and for the Use of *Moses Merrill*, £.3 2s. to *Joseph Buckminster*, Esq; for

for the Use of *Elijah Kindrick*, 40s. to *Daniel Howard*, Esq; for the Use of *Archibald Robinson*, 34s. 4d. to *Thomas Foster*, Esq; for the Use of *Benjamin Cornish*, £.4 11s. 6d. to Mr. *Richard Bailey*, for the Use of *James Bailey*, 20s. and for the Use of *Michael Woodcock*, £.7 16s. 4d. to Capt. *John Brown*, for the Use of *Josiah Robinson*, £.5 16s. 8d. to Capt. *Benjamin Hutchins*, for the Use of *Sarah Bowers*, £.4 8s. to *Timothy Brigham*, Esq; for the Use of *Jesse Maynard*, £.5 8s. to Mr. *Daniel Staniford*, for the Use of *Daniel Chapman*, 32s. to *John Murray*, Esq; for the Use of *Zeruiah Pratt*, £.3 9s. 3d. and to *John Norris*, 56s. 9d. in full Discharge of the several Accounts of Expences on the Expedition against *Crown-Point* the last Year, in their Petitions respectively mentioned.

Sent up for Concurrence.

The said Committee also Reported on the Petition of *Mary Farrar*. Report on
Petition of
Mary Farrar

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to the Petitioner, the Money due to her late Husband for his Billeting, on his Return home from *Lake-George* in 1755, as made up in Capt. *Asa Whetcomb*'s Muster-Roll, any Order of the Court to the contrary notwithstanding; also the further Sum of *three Pounds*, in Consideration of the Expences mentioned, occasioned by her said Husband's Sickness, whilst in the Service on the last *Crown-Point* Expedition.

Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Eastabrooks*, and others of the like Import, Reported on the Petition of *Tho. Abbot*. Report on
Petition of
Tho. Abbot.

Read, and accepted, and Ordered, That the Treasurer be directed to pay to Mr. *James Frye*, for the Use of the Petitioner, the full Wages due to his Son *Joseph Abbot*.

Sent up for Concurrence.

The said Committee Reported on the Petition of *Benjamin Manning*. Report on
Petition of
Benj. Man-
ning.

Read, and accepted, and Ordered, That the Treasurer pay to Capt. *Ephraim Spaulding*, for the Use of the Petitioner, the full Wages of his said Son, deceased. Sent up for Concurrence.

The said Committee Reported on the Petition of *John Mansor*.

Read and Ordered, That the Treasurer pay to Mr. *Benj. Hills*, for the Use of the Petitioner, the full of his Wages.

Sent up for Concurrence.

Ordered, That the Vote passed this Court the 9th Current, relating to Payment of the Wages of Soldiers who died whilst in the Service on the last Expedition against *Crown-Point*, without any Stoppage being made therein on Account of their Arms not being returned, be published in the public Prints, for the Information of all Persons concerned. Order on a
Vote.

The Committee appointed on the Petition of *William Bullock*, Reported thereon. Report on
Petition of
Wm. Bullock.

Read, and accepted, and Ordered, That the Prayer of this Petition be so far granted, as that the Petitioner be allowed to receive

ceive out of the Province Treasury, his Wages as a Lieutenant, from the 18th Day of *February* 1755, to the 21st Day of *September* 1756, amounting to the Sum of *twenty four Pounds sixteen Shillings*.

Sent up for Concurrence.

Report on
Petition of
Epes Sargeant
and others.

The Committee appointed on the Petition of *Epes Sargeant*, Esq; and others, Reported according to Order.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the Petitioners (in their said Capacity) be, and hereby are, impowered to make Sale of the vacant Room in the Galleries mentioned in the Petition ; and that the Petitioners be, and hereby are, impowered to make and execute a good and sufficient Deed or Deeds of the same, they to be accountable to the Heirs who are Minors, or their Guardians, for their proportionable Part of the Produce of the Whole of such Sale.

Sent up for Concurrence.

Report on
Petition of
Eben. Davis.

The Committee appointed on the Petition of *Ebenezer Davis*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to *Moses Marcy*, Esq; for the Use of the Petitioner, the Sum of *three Pounds sixteen Shillings*, in full for his Billeting mentioned.

Sent up for Concurrence.

Vote relating
to Men
posted at
No. 4.

Whereas there are ten Men now posted at Numb. 4. on Connecticut-River, at the Charge of this Government, and it being probable that his Excellency the Earl of Loudoun, will employ some of the Provincial Troops for the Protection of the Inhabitants there : Therefore,

Voted, That in such Case, the Commander in Chief be desired to give Orders said Men be dismissed, and that no further Pay or Subsistence be allowed them.

Sent up for Concurrence.

Petition of
Jos. Dwight,
Esq;

A Petition of *Joseph Dwight*, Esq; and others, Inhabitants of *Stockbridge*, in the County of *Hampshire*, setting forth, their being peculiarly exposed to the Ravages of the Indian Enemy, by the Knowledge many of them have of their Situation and Circumstances, that the Forts and Scouts from the Garrisons beyond them on the Frontiers, are of little or no Security to them ; and praying such a Number of Soldiers may be posted there for their Defence, as shall be judged reasonable, under their present distressing Circumstances.

Read and *Ordered*, That *Thomas Foster*, Esq; Mr. *Turner*, and Capt. *Upham*, be a Committee to consider this Petition, and Report thereon.

Report on
Petition of
Uriah Thayer.

The Committee appointed on the Petition of *Robert Eastabrooks*, and others of the like Import, Reported on the Petition of *Uriah Thayer*, in Part.

Read, and not accepted, and *Ordered*, That the Petition be Re-committed.

Petition of
Hez. Gates.

A Petition of *Hezekiah Gates*, shewing that he engaged in the Service on the late Expedition against *Crown-Point*, and at the Desire of the Committee appointed to Repair to *Albany*, he undertook to deal out Provisions to Col. *Bagley's* Regiment at *Albany* and the *Half-Moon*, and afterwards to receive and deliver out Provisions

Provisions & other Stores at the upper Falls, and was employed by them in other Service at *Albany*, till the 23d of *Sept.* last, for which he received Pay, with the Assurance of his receiving his Wages as a Soldier for that Time, but is not allowed the same in the Muster-Roll ; and praying that he may be allowed to receive out of the Treasury, a Sum equal to a Soldier's Pay, for said Time.

Read and *Ordered*, That Col. *Lawrence*, Mr. *James Foster*, and Capt. *Pepper*, be a Committee to consider this Petition, and Report thereon.

A Memorial of *Enoch Freeman* of *Falmouth*, in the County of *York*, Esq; shewing that several Soldiers belonging to Col. *Cushing's* Regiment, have enlisted themselves into his Majesty's Service for the present Campaign, who were employed on the Frontiers within three Year past, whereby they were intitled to ten Dollars Bounty, but thro' Mistake have received six Dollars only ; and praying that they may be allowed the remaining four Dollars, agreeable to the Encouragement given by this Government.

Memorial of
Enoch Freeman, Esq;

Read and *Ordered*, That the Treasurer be directed to pay to the Memorialist for the Use of *Samuel Cole*, *Abel Whitney*, *John Nason*, and *Jacob Royal*, four Dollars each, to make up the Deficiency of their Bounty Money, as mentioned. Sent up for Concurrence.

Post Meridiem.

The Committee appointed on the Petition of *Elisha Pomroy*, and *Ebenezer Burt*, Reported thereon.

Report on
Petition of
Elisha Pomroy
&c.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that *Timothy Woodbridge*, Esq; be, and he hereby is, appointed to examine the Debts, and make Sale of, and give and execute good Conveyances of said *William Nohwohwooe's* Real Estate, so far as to pay his just Debts, and to settle with the several Creditors of said Estate, he to be accountable to this Court.

Sent up for Concurrence.

A Petition of *William Ranger* of *Brookfield*, in the County of *Worcester*, shewing that he was in the Service on the first Expedition against *Crown-Point*, and enlisted a-new on the last Expedition, whereby he is intitled to half Pay from the dismissing the first Army, to the Time of his Re-enlistment, but by some Mistake the same is omitted in the Muster-Roll ; and praying he may be allowed his said half Pay, and also the Expence he was at for his Subsistence on his Return home, in the Year 1755.

Petition of
Wm. Ranger.

Read and *Ordered*, That Mr. *Bradbury*, Mr. *Morey*, and Mr. *Bailey*, be a Committee to take this Petition under Consideration, and Report thereon.

The Committee appointed on the Petition of *Israel Ashley*, Esq; Reported verbally, That by an Order passed this Court the 15th Instant, they are of Opinion, the Government have done all that is necessary in the Affair : And thereupon,

Report on
Petition of
Israel Ashley,
Esq;

Voted, That the Petitioner have Leave to withdraw his Petition.

Petition of
Sam. Rice
and others.

A Petition of *Samuel Rice*, in Behalf of himself and Brethren, Inhabitants of a Place called *Charlemont*, in the County *Hampshire*, setting forth, that in Consequence of the Encouragement given by the General Court the last Year, they have removed the Garrison round their late Father's House, and erected a good new defensible one at a much more suitable Place, which they have done at considerable Expence, and which they apprehend will be much for the Benefit of said Place ; and praying such Assistance may be afforded them, as shall be judged reasonable, for their Protection and Defence.

Read, and committed to Capt. *Hubbell*, Mr. *Lyman*, and Mr. *Barnard*, to consider and Report thereon.

Punkapaug
Indians Ac-
counts.

The Accounts of the Guardians of the *Punkapaug* Indians were presented for Allowance, and by Leave of the House laid on the Table. And

Ordered, That Col. *Cotton*, Capt. *Hutchins*, and Major *Freeman*, be a Committee to examine the same, and Report thereon.

Memorial of
Jonat. Fessenden.

A Memorial of *Jonathan Fessenden*, of *Braintree*, in the County of *Suffolk*, setting forth, that being a hired Soldier in the last *Crown-Point* Expedition, on his undertaking to raise a Number of Men for said Service, he was promised, and afterwards received a Lieutenant's Commission, and performed his Duty accordingly, till the Forces were dismissed, but is allowed in the Muster-Roll the Wages of a private Centinel only ; and praying such further Allowance, as shall make his Pay equal to that of a Lieutenant's on said Expedition.

Read and Ordered, That Mr. *Turner*, Mr. *Lancaster*, and Col. *Marcy*, be a Committee to consider this Petition, and Report thereon.

Message to
the Council.

Ordered, That Col. *White* go up with a Message to the honourable Board, to desire they would give Dispatch to all Business of a public Nature lying before them, that the Court may rise before the Fast, if their Honours please.

Who returned, that he had delivered the Message.

The Committee appointed to prepare a Message to the honourable his Majesty's Council, desiring them to appoint two more Field-Officers for the Forces raised by the Province for the present Campaign, Reported the following Draught : Which was read and accepted ; and

Voted, That the following Message be sent to the honourable Board, viz.

Message to
the Council,
relating to
Field Offi-
cers.

May it please your Honours,

The House beg Leave to express their Concern, that notwithstanding they have made an Establishment of Wages for one Colonel, two Lieutenant Colonels, and two Majors, to Command the 1800 Men, raised by this Province, to be under the general Command of his Excellency the Right Honourable the Earl of *Loudoun* ; yet his Honour the late Lieutenant Governour has Commissioned only one General Officer to command said Troops.

The

The House apprehend, that from the Nature of the Service, and the common Dangers of War, the Life of that Officer is so precarious, that it will be very inconvenient to have the Command solely in any one Gentleman, without any Provision for some proper Person to succeed him in that important Trust, in Case of his Decease.

They would therefore humbly propose to the Consideration of the Honourable his Majesty's Council, whether it might not be adviseable to make some further Provision on this Head; and that (if they please) one Lieut. Colonel and one Major, may be appointed under the General Officer already in Commission.

And Ordered, That Col. *Cotton*, Col. *Lawrence*, Col. *White*, Col. *Murray*, and Col. *Williams*, be a Committee to wait upon the honourable his Majesty's Council with the foregoing Message.

Who returned, that they had delivered the same.

A Petition of *Joseph Frye*, Esq; in Behalf of himself and other Officers of the Forces under his Command, raised by this Province for his Majesty's Service, shewing that he has received Orders to march with them to *Kenderhook*, but no Conveyance is provided for transporting their Baggage; and praying that Provision may be made for that Purpose.

Petition of
Jos. Frye,
Esq;

Read, and Ordered, That Mr. *Tasler*, Col. *Clap*, and Col. *Gerrish*, be a Committee to take this Petition under Consideration, and Report thereon.

A Petition of *Joel Bradford*, and others, in Behalf of themselves and the other Commission Officers of the Forces raised by this Province for the present Campaign, praying that, in Consideration of the great Expence they have been at in preparing for the Service and subsisting themselves, till they shall receive Orders to proceed therein, they may have such Part of their Wages advanced to them, as shall be judged reasonable.

Petition of
Joel Bradford, &c.

Read; And the Question being put, *Whether the Petition be sustained?* It pass'd in the Negative.

A Petition of *John Cunningham*, Executor of the last Testament of *Hugh Cunningham*, late of *Spencer*, in the County of *Worcester*, deceased, and *William Bemis*, shewing that the said *Hugh* sold to the said *William* a small Tract of Meadow lying in said District, and received the Purchase-Consideration agreed on, but died before he could execute a Deed thereof; and praying that the said *John* may be impowered in his said Capacity to execute a proper Conveyance of said Meadow to the said *William*, that so Justice may be done.

Petition of
John Cunningham.

Read, and committed to Mr. *Morey*, Col. *Murray*, and Col. *Brigham*, to consider and Report thereon.

A Petition of *John Mascarene* of *Boston*, in the County of *Suffolk*, Esq; shewing that he has been at great Expence in setting up, and carrying on the Manufacture of Pot-Ash, and bringing the same to that Degree of Perfection which he apprehends will prove very much to the public Benefit; and praying that (to enable him the better to carry on the said Business) he may have the Loan of such

Petition of
John Mascarene, Esq;

such a Sum of Money, and for so long a Time, as may be judged reasonable ; he giving sufficient Security for Re-payment thereof.

Read, and *Ordered*, That the Consideration of this Petition be referred to the next *May* Sessions.

Petition of
John Norton,
Esq;

A Petition of *John Norton*, Esq; as entred the 8th of *February* last, was read again, and *Ordered*, That Col. *White*, Capt. *Upham*, and Capt. *Barrett*, be a Committee to take the same under Consideration, and Report thereon.

Petition of
John Jones.

A Petition of *John Jones* of *Granville*, in the County of *Hampshire*, praying that he may be allowed the half Pay promised by the Government to such Soldiers as had been in the Service within three Years past, and should enlist a-new into the Expedition designed against *Crown-Point* the last Year, which by Mistake was omitted in Capt. *Moseley*'s Muster-Roll.

Read and *Ordered*, That Capt. *Hubbell*, Mr. *Merrill*, and Mr. *Sumner*, be a Committee to consider this Petition, and Report thereon.

Report on
Guardian
Indians Ac-
counts.

The Committee appointed on the Accounts of the Guardians of the *Punkapaug* Indians, Reported thereon.

Read, and not accepted, and *Ordered*, That the Consideration thereof be referred to the next *May* Sessions.

Report on
Petition of
Sam. Rice.

The Committee appointed on the Petition of *Samuel Rice*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be so far granted, as that there be allowed six Soldiers to keep said *Rice*'s Garrison, and Guard them at their Labour ; said Soldiers to be enlisted by the Petitioners, and allowed the same Wages, and to be discharged at the same Time with the Soldiers now stationed at *Charlemont*.

Sent up for Concurrence.

Report of a
Committee
relating to
Fishing
Vessels.

The Committee appointed to make Enquiry relative to sundry Fishing Vessels suggested to have sailed on their Fishing Voyages, notwithstanding the Proclamation issued to the contrary, Reported according to Order. Read, and accepted ; and

Whereas it appears to this Court, that between the 9th Day of March last, and the 10th of April Current, two Fishing Vessels belonging to Epes Sargeant, Junr. Esq;—one belonging to Winthrop Sargeant,—one belonging to Thomas Sanders, Junr.—one belonging to Daniel Sargeant,—one belonging to Daniel Rogers,—and one belonging to Hubbard Haskell, all of Gloucester, in the County of Essex, have departed on their Voyages to the Banks, in Disobedience to and Contempt of a Proclamation issued by the Lieut. Governour and Council, restraining all Kinds of Vessels till the said 10th of April, without special Permission : And,

Whereas Practices of this Kind (if not prevented) have a Tendency to create in the Minds of the good People of this Province, a Suspicion of the Justice and Authority of their Rulers, to give a bad Example to others, and thereby weaken all Orders and Acts of Government :

Order there-
on,

Therefore, *Ordered*, That the Attorney-General be directed to prosecute the Offenders above-named, or any others that have offended, in the most effectual Manner, or to proceed in any other Manner that may be thought more for the Honour and Safety of the Government. Sent up for Concurrence. The

The Committee appointed on the Commissaries Memorial, and Accounts accompanying the same, Reported thereon.

Report on
Commissa-
ries Ac-
counts.

[Memorial]

Read, and accepted in Part ; and

It appearing to this Court, that Isaac Thomas, one of the Commissaries in the late Expedition against Crown-Point, charges the Government with the Sum of Five Hundred and three Pounds eleven Shillings and four Pence, due to balance his Account, a considerable Part whereof was a Saving out of the Soldiers Allowance, and ought to be for the Benefit of this Government, and not of the Commissary : And whereas the said Thomas has advanced, (in sundry Articles delivered to said Soldiers) the Sum of One Hundred and sixty one Pounds, which the Government have received the Benefit of : Therefore,

Voted, That the said Sum of One Hundred and sixty one Pounds, be allowed him in his said Accounts, and no more.

Sent up for Concurrence.

And

It appearing to this Court, that Joseph Peabody, Commissary to a Regiment on the late Expedition against Crown-Point, charges the Government with the Sum of Eight Hundred thirty eight Pounds one Shilling and two Pence, due to balance his Account, chiefly saved out of the Soldiers Allowance, which ought to have been for the Benefit of the Government, and not of the Commissary : And whereas he advanced of his own Money, (in sundry Articles delivered to the Soldiers) the Sum of One Hundred and ten Pounds fifteen Shillings & eight Pence, which the Government have received the Benefit of : Therefore,

Voted, That the said Sum of One Hundred and ten Pounds fifteen Shillings and eight Pence, as also the further Sum of fifteen Pounds, for Cloathing that he left, more than is charged in his Account, be allowed him in his said Accounts, and no more.

Sent up for Concurrence

Mr. Secretary Oliver came down with a Message from the honourable Board, to acquaint the House, they had just now received a Letter from his Excellency the Earl of Loudoun, directed to the Hon. Spencer Phips, Esq; the late Lieut. Governour, which they had directed him to bring down and lay before the House.

Message to
the Council.

The said Letter, dated *New-York, April 11th 1757* ; was read.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

Martis 19. Die Aprilis, A. D. 1757.

A Petition of *Isaac Merrill of Almsbury, in the County of Essex, Esq;* setting forth, that a Neighbour of his, since the Time allowed for exchanging Paper Bills, accidentally found a small Parcel of them wrapped up in an old cancelled Bond, which he had entirely forgot ; and praying that the Treasurer may be allowed to exchange them, the Time limited for that Purpose being elapsed notwithstanding.

Petition of
Isaac Merrill,
Esq;

Read, and committed to Mr. Welles and others, a Committee appointed on Petitions of the like Import, to consider and Report thereon.

D d d d d d

The

Report on
Petitions of
sick and
wounded
Soldiers.

The Committee appointed on Petitions from sick and wounded Soldiers on the Expedition against *Crown-Point* in 1755. Reported on sundry of said Petitions.

Which were read, and the Reports accepted; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to Mr. *Richard Bailey*, for the Use of *Philip Liscomb*, 18s. and for the Use of *Steward Esly*, 30s. to *John Quincy*, Esq; for the Use of *John King*, 32s. and to *John Worthington*, Esq; for the Use of *Deliverance Atchinson*, 12s. in full Consideration of their Expences in 1755, mentioned in their respective Petitions.

Sent up for Concurrence.

Report on
Petition of
Tho. Mitchel.

The said Committee also Reported on the Petition of *Thomas Mitchel*, and others, and of *Jonas Bemis*.

Read, and accepted, and *Ordered*, That the Petitions be dismissed accordingly.

Report on
Petitions of
sick Soldiers.

The Committee appointed on Petitions from sick Soldiers, who were last Year on the Expedition against *Crown-Point*, Reported on sundry of said Petitions: Which were read, and the Reports accepted; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to *Eldad Taylor*, Esq; for the Use of *Matthew Noble*, £.3 4s. for the Use of *Samuel Bancroft*, £.3 10s. and for the Use of *Abiathar Jones*, 30s. to Mr. *Amos Fuller*, for the Use of *John Clarke*, 13s. 4d. to Capt. *Solomon Pepper*, for the Use of *Samuel Baty*, £.3 5s. 6d. to *James Russell*, Esq; for the Use of *John Turner*, 52s. to *John Smith*, £.12. to *Nathanael Jones*, 47s. 4d. and to *Enos Howe*, £.4 5s. 4d. in full Consideration of their Expences on the Expedition against *Crown-Point* in the Year 1756, in their Petitions respectively mentioned.

Sent up for Concurrence.

Report on
Petition of
Wm. White.

The said Committee also Reported on the Petition of *Wm. White*.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Capt. *Phineas Lovett*, for the Use of the Petitioner, *thirty five Shillings*, in Consideration of the Expences mentioned; and also the full Wages of the said *Elijah White*, his Arms not being returned notwithstanding.

Sent up for Concurrence.

Report on
Petition of
Han. Thayer.

The said Committee Reported on the Petition of *Hannah Thayer*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay to Capt. *Phineas Lovett*, for the Use of the Petitioner, the Sum of *four Pounds two Shillings and eight Pence*, in Consideration of the Expences mentioned; and also the full Wages of *Oliver Thayer*, deceased, his Arms not being returned notwithstanding.

Sent up for Concurrence.

Tho. Bartlett
and *John*
Dalhonde.

The said Committee also Reported on the Petitions of *Thomas Bartlett*, and *John Dalhonde*.

Read, and accepted, and *Ordered*, That the said Petitions be dismissed accordingly.

The Committee appointed on the Petition of *James Carr*, and the Roll accompanying the same, Reported according to Order.

Read,

Read, and accepted, and *Voted*, That this Roll be allowed ; and that the Wages of the several Persons born thereon, be paid to them respectively out of the Province Treasury, excepting *Jonathan Con- nant, Benjamin Robins, Moses Spafford, and Jonathan Page*, and that there be no Allowance made them. Sent up for Concurrence.

Vote on the
Petition of
James Carr.

The said Committee also Reported on the Petition of *Jos. Clough.*

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay the Petitioner his full Wages.

Jos. Clough.

Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Eastabrooks*, and others of the like Import, Reported on the Petitions of *John Russell, David Gay, and Enoch Welles.*

Report on
Petition of
*John Russell
&c.*

Read, and the Reports severally accepted, and thereupon, *Ordered*, That the said Petitions be dismissed accordingly.

On a Motion made and seconded, *Ordered*, That the Committee of War be directed to procure and put into the Hands of the Commissary of the Forces of this Province raised for his Majesty's Service, under the Command of his Excellency the Earl of *Loudoun*, such Articles as they shall apprehend will be for the Service and Comfort of the Soldiers, and are not provided for by the Crown.

Committee
of War di-
rected.

Sent up for Concurrence,

The Committee appointed on the Petition of *John Cunningham*, and *William Bemis*, Reported thereon.

Report on
Petition of
*John Cun-
ningham.*

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted ; and that the said *John Cunningham*, be, and he hereby is, impowered (in his said Capacity) to make and execute a good and sufficient Deed to the said *William Bemis*, of the Land within-mentioned, and that the same be, and hereby is, declared to be as good and valid in the Law to all Intents and Purposes whatsoever, as if the said *Hugh Cunningham*, had made the same in his Life Time.

Sent up for Concurrence.

A Petition of *Joseph Buckminster*, Esq; and others, Representatives for several Towns in the County of *Middlesex*, setting forth, the Inconveniencies the Inhabitants of many of the Towns in said County labour under, by Reason of the Courts of Justice being chiefly held at Places remote from the Center of the Inhabitants ; and praying that the Affair may be taken under Consideration, and such Alteration made as to the Places for holding said Courts, as shall be judged expedient.

Petition of
*Jos. Buckmin-
ster, Esq;*

Read and *Ordered*, That the Consideration of this Petition, be referred to the next *May* Sessions.

A Petition of *John Larrabee*. Commanding Officer at his Majesty's *Castle-William*, praying that the State of the Garrison there may be taken under Consideration, and such Augmentation of Men allowed for Defence of the same, as may be judged proper.

Petition of
*John Larra-
bee.*

Read and *Ordered*, That Mr. *Tasfer*, Mr. *Flucker*, and *Thomas Foster*, Esq; be a Committee to take this Petition under Consideration, and Report thereon.

On a Motion made and seconded, *Ordered*, That Mr. Speaker, Mr. *Flucker*, and *James Russell*, Esq; with such as the honourable Board

Board shall join, be a Committee to take under Consideration Mr. Agent *Bollan's* Accounts, examine the same, and Report thereon at the next *May* Sessions. Sent up for Concurrence.

Resolve on
a Grant.

Resolved, That the House take under Consideration an Allowance to the Commissioner of the Stamp-Duties; as also a Grant to the Heirs of the Hon. *Josiah Willard*, Esq; late Secretary of the Province, deceased, at four o'Clock Afternoon.

[Establishment]

Committee
directed.

Ordered, That the Committee appointed to prepare an Establishment for the chief Commanding Officer of this Province's Troops, raised for his Majesty's Service, under the Earl of *Loudoun*, be directed to prepare also an Establishment for a Secretary, who shall also act as Commissary of the Musters; and also to consider of a suitable Allowance to the said Chief Officer for his Table, and Report.

Vote for
preventing
Frauds.

In order to prevent Fraud and Deceit in any Officers that may be employed by this Government, under the King's General the present Year, when the Muster-Rolls shall be presented for Payment:

Voted, That no Charge that may be made in the Muster-Roll against any Officer or Soldier, or Deduction from such Persons Wages, in Favour of the Captain of such Company, shall be allowed, unless such Captain shall produce a Receipt from such Officer or Soldier, or sufficient Vouchers to support such Charge.

Sent up for Concurrence.

Petition of
Job Bonney.

[Wages]

A Petition of *Job Bonney* of *Pembroke*, in the County of *Plymouth*, praying that the Treasurer may be impowered to pay him the Wayes due to his Son on the late *Crown-Point* Expedition, who died in the Service at *Lake-George*, just after the disbanding the Army, his being by Mistake born in the Muster-Roll as a living Man notwithstanding.

Read and *Ordered*, That the Treasurer be, and hereby is, directed to pay to the Petitioner, the Wages due on Capt. *Cleffon's* Muster-Roll, to his Son *Jonathan* deceased.

Sent up for Concurrence.

Post Meridiem.

Petition of
John Hunt,
Esq; &c.

A Petition of *John Hunt*, and *Josiah Converse*, Esqrs; a Committee appointed by the Inhabitants of the Town of *Watertown*, setting forth, the Difficulties they have laboured under by having a considerable Part of their Inhabitants (with their Estates) lately annexed to the Town of *Cambridge*, at a Time when they were at great Expence in removing their Meeting-House, which was soon after consumed by Fire, whereby they have been put to the further Charge of Building a new one; and praying their former Inhabitants may be re-annexed to them, or that a Part of the Town of *Newton*, (which is conveniently situated) may be set off to them.

Order there-
on,

Read and *Ordered*, That the Petitioners serve the Clerks of the Towns of *Cambridge* and *Newton*, with attested Copies of this Petition, that they shew Cause (if any they have) on the second Wednesday of the next *May* Sessions, why the Prayer of this Petition should not be granted. Sent up for Concurrence.

The

The Committee appointed to prepare a List of the Travel and Attendance of the Members of the House, Reported that they had prepared a List accordingly. Committee for List.

Read, examined and approved; and *Ordered*, That the Clerk of the House certify the same accordingly.

The Committee appointed on the Petition of *Hezekiah Gates*, Reported thereon. Report on Petition of *Hez. Gates*.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to *William Richardson*, Esq; for the Use of the Petitioner, the Sum of *eleven Pounds four Shillings*, in full Consideration of his Services mentioned.

Sent up for Concurrence.

The Committee appointed on the Petition of *Winthrop True* and others, Select-Men of *Salisbury*, by Leave of the House, laid the same on the Table again, without Report. Order on Petition of *Winthr. True*.

Thereupon *Ordered*, That the Consideration of said Petition be referred to the next *May* Sessions.

A Memorial of *Thomas Hutchinson*, Esq; as entred the 25th of *Febr.* last. Read again, and *Ordered*, That *Mr. Welles*, *Col. Clap*, and *Mr. Gridley*, be a Committee to take the same under Consideration, and Report thereon. Order on Petition of *Tho. Hutchinson*, Esq;

Ordered, That the Consideration of the Petitions of *Samuel Mirick* and others, and of *Josiah Day* and others, as entred the 18th of *January* last, be referred to the next *May* Sessions. Sam. Mirick's Petition refer'd.

James Minot, Esq; came down with a Petition of *Abigail Holbrooke*, as entred the 23d of *October* last. Pass'd in Council, viz. In Council *April* 15th 1757. *It appearing, that several Persons interested in the within named Deceased's Estate, or otherwise concerned, have been duly notified to make Answer thereto, and no Answer being made, or Objection offered:* Abigail Holbrooke's Petition brought down.

Ordered, That the Prayer thereof be so far granted, as that the Petitioner (in her said Capacity) be, and she is hereby, impowered to make Sale, to as good Advantage as may be, of such Part of the said Deceased's Real Estate (not exceeding fifteen Acres) as can be spared with least Prejudice to the Whole, she giving previous public Notice of the intended Sale, in Time and Manner as the Law respecting the Sale of Real Estates by Executors and Administrators doth direct, and giving due Caution to the Judge of Probate for *Middlesex*, that the Proceeds of such Sale shall be truly applied for the Purposes in said Petition mentioned, and that she be accountable to him for her Proceedings in the Premises, when thereto required.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of *Capt. John Larabee*, Reported thereon verbally: Which was accepted; and the Petition ordered to lye on the Table. Report on Petition of *John Larabee*.

The Committee appointed on the Petition of *Ephraim Hayward*, Reported thereon.

Read, and accepted, and *Ordered*, That the Prayer of this Petition be granted; and that there be allowed and paid out of the

public Treasury to Capt. *Jabez Upham*, for the Use of the Petitioner, the Wages of *Nathanael Seely*, as made up in the Muster-Roll mentioned. Sent up for Concurrence.

Vote relating to a French Neutral Family.

Whereas Charles Mius & Family, (some of the French Neutrals) were ordered by a Vote of this Court of the 8th of February last, to be removed from Plymouth, to Wareham, but have been since removed to Marshfield ; which Removal has been approved of by this Court, and there being still a considerable Number of said French Neutrals at Plymouth, and none in the Town of Wareham :

Voted, That the Select-Men of Plymouth, remove John Pellerine, his Wife & Children, supposed to be five in Number, (a Family of said French Neutrals) to the Town of Wareham ; and that the Select-Men of the Town of Wareham, be, and hereby are, directed to receive them, and provide for them as the Law directs.

Sent up for Concurrence.

Report on Petition of Wm. Rice.

The Committee appointed on the Petition of *William Rice*, Reported according to Order.

Read, and accepted, and Ordered, That the Prayer of this Petition be granted ; and that the Petitioner be, and hereby is, authorized to sell the said two Fifths of five Acres of Land, he observing the Directions of the Law for Executors or Administrators selling their Testators or Intestates Real Estate by Licence of the Superiour Court, and to execute a Deed of Conveyance thereof, which shall be good and valid in the Law to all Intents and Purposes whatsoever, he to be accountable to the Judge of Probate for the County of *Middlesex*, for the Proceeds thereof.

Sent up for Concurrence.

Memorial of John Greenleaf & David Farnum, Esqs bro't down.

Isaac Royall, Esq; brought down a Memorial of *John Greenleaf*, and *Daniel Farnum*, Esqrs; praying that some suitable Persons may be impowered with them to carry on the Lottery allowed for building a Bridge over the *River-Parker* in *Newbury*, in the Room of sundry of the Managers first appointed, who are either dead, or decline acting in said Affair.

Pass'd in Council, viz. In Council *April 14th 1757.*

Order thereon.

Read and Ordered, That the Prayer of this Memorial be granted ; and that the Petitioners, together with *Joseph Gerrish*, Junr. and *Michael Dalton*, Esqrs; and Mr. *Thomas Woodbridge*, be appointed Managers of the Lottery within-mentioned, the Hon. *Thomas Berry*, Esq; being deceased, and *Joseph Gerrish*, and *Joseph Atkins*, Esqrs; having declined accepting that Trust ; and that the aforesaid Managers be sworn to the faithful Discharge of their Trust, and answerable for any Deficiency or Misconduct therein, is as full and ample Manner to all Intents and Purposes, as in the aforesaid Act is provided.

Sent down for Concurrence.

Read, and non-concur'd ; and Ordered, That the Petition be dismissed.

Post Meridiem.

Report on Petition of John Jones.

The Committee appointed on the Petition of *John Jones*, Reported thereon.

Read,

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *forty five Shillings and four Pence*, in full of the half Pay he was intitled to on his entering into the Service, on the *Crown-Point* Expedition the last Year. [public]

Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act Intituled, An Act subjecting the Inhabitants of the Island of Nantucket, and the People called Quakers (in other Parts of the Province) to an Assessment towards the Charge of defending his Majesty's Territories, in Lieu of their Personal Service.* Bill read.

Read a second Time, and *Ordered*, That the Bill be Re-committed to Col. *Hale*, and Col. *Williams*, for the Amendment proposed. Order on a Memorial of John Winslow Esq;

The Committee appointed on the Memorial of *John Winslow*, Esq; in Behalf of the General Staff-Officers employed in the late *Crown-Point* Expedition, as entred the 18th of *February* last, Reported according to Order.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Ralph Gulston Waldo*, the Sum of *five Pounds eight Shillings* per Month, from the Date of his Commission, to the Time of the Dismission of the Forces, reckoning also the Time for his Return home, as allowed to others.

Also, That there be allowed and paid to Mr. *Henry Liddel*, *nine Pounds* per Month, from the Date of his Commission till the 22d of *April* Current, in full for his Services.

Also, That Mr. *John Pierce*, be paid as a Lieut. for his Care of the Stores from the Time of the Dismission of the Forces at *Lake-George*, so long as he may be necessarily detained in that Service.

Also, That Mr. *Jeremiah Hall*, be paid the Sum of *three Pounds*, for one Month's Service in taking Care of the Hospital.

And as to the other Officers, they having received Pay from the respective Governments by whom they were employed, in different Capacities :

Voted, That no further Allowance be made them.

Sent up for Concurrence.

A Bill Intituled, *An Act for supplying the Treasury with the Sum of Three Thousand five Hundred Pounds, and for lending the same to the Town of Boston.* Debate on a Bill.

Read a second Time, and after a Debate thereon, the Question was put, *Whether the House will proceed to fill up the Blanks ?*

And it pass'd in the Negative.

On a Motion made and seconded, *Voted*, That *Peter Bodroit*, his Wife and five Children, seven in the Whole, be removed (at the Charge of the Town of *Scituate*) from the Town of *Scituate*, to the Town of *Dudley*, and be committed to the Care of Mr. *Jedediah Marcy*, of that Town. Vote relating to a French Neutral Family.

Sent up for Concurrence.

Ordered, That Col. *Lawrence* go up with a Message to the honourable Board, to enquire whether they have passed on the Bill for Enquiring into the Rateable Estates of the Province ? Message to the Council.

Who returned, that he had delivered the Message, but received no Answer. The

Bill read. The Committee appointed the last Sitting to prepare a Bill for the better Regulation of Ferries, Reported a Bill Intitled, *An Act in Addition to an Act Intitled, An Act for regulating Ferries* : Which the Chair-man read at his Place, and then delivered in at the Table.

The said Bill was read a first Time, and Ordered, That it have a second Reading at ten o'Clock to Morrow Morning.

Bill Engross'd. The Committee to whom was re-committed the Bill Intitled, *An Act in Addition to an Act Intitled, An Act subjecting the Inhabitants of the Island of Nantucket, and the People called Quakers (in other Parts of the Province) to an Assessment towards the Charge of defending his Majesty's Territories, in Lieu of their Personal Service* : Reported their Amendments thereon.

Read, and accepted, and thereupon the said Bill was read a third Time, and pass'd to be Engross'd. Sent up for Concurrence.

[from] Message to the Council. *Isaac Royall*, Esq; came down with a Message from the honourable Board, to acquaint the House, that they had passed on the Bill for enquiring into the Rateable Estates of the Province, and had non-concur'd the same.

Report on Petition of *Jos. Dwight*, Esq; The Committee appointed on the Petition of *Joseph Dwight*, Esq; and others, Inhabitants of *Stockbridge*, Reported verbally, That they find sixteen Men are posted there by this Government, which was unknown to the said Inhabitants at the Time of their Petitioning the Court ; and by Reason of many Soldiers continually passing thro' said Town and Parts adjacent, they are of Opinion that nothing further is necessary to be done (at present) for their Defence : Which was accepted ; and thereupon,

Ordered, That the further Consideration of said Petition, be referred to the next May Sessions.

Message to the Council. Ordered, That *Mr. Welles*, *Mr. Flucker*, *Col. White*, *Mr. Barnard*, *Col. Otis*, *Judge Russell*, and *Mr. Tasker*, go up with a Message to the honourable Board, to desire they would be pleased to Reconsider their Vote of Non-concurrence on the Bill for Enquiring into the Rateable Estates of the Province.

Who returned, that they had delivered the Message.

Grant to the Heirs of the late Secretary *Willard*. The House, according to Order, took under Consideration the Memorial of the Executors of the last Testament of *Josiah Willard*, Esq; late Secretary of the Province. And after a Debate thereon ; the Report of the Committee was accepted ; and

Thereupon Ordered, That there be allowed and paid out of the public Treasury to the Memorialists (in their said Capacity) the Sum of *One Hundred and fifty Pounds*, to be by them disposed of as the rest of the personal Estate of the Deceased, agreeable to his last Will and Testament, in Consideration of his long and faithful Services in the said Office. Sent up for Concurrence.

Grant to the Commissioner of the Stamp Office. The House also, according to Order, took under Consideration an Allowance to the Commissioner of the Stamp Duties ; and after a Debate thereon,

Ordered, That there be allowed and paid out of the public Treasury, to *James Russell*, Esq; Commissioner of the Stamp Duties, the Sum of *One Hundred Pounds*, in Consideration of his Services and

and Expences in his said Office the Year past, and during the Continuance of the Stamp-Act. Sent up for Concurrence.

Ordered, That Mr. Welles, Col. Marcy, Col. Otis, Mr. Turner, and Mr. Flucker, be a Committee to confer with Sir William Pepperrell, with Regard to his Expences whilst engaged in the Expedition against *Louisbourg* in the Year 1745, to take the Affair under Consideration, and Report what they judge proper for this Court to do thereon.

Committee to confer with Sir Wm Pepperrell.

Then the House adjourn'd, 'till to Morrow Morning Nine o'Clock.

Mercurii 20. Die Aprilis, A. D. 1757.

Voted, That each Member of the Council and House of Representatives have one of the printed Bankrupt Bills; and that every Member of the House deposite one with his Town's Clerk, for their Use; and that the Remainder be delivered by the Printer for the principal Merchants and Traders of the following Towns, if called for, viz.

Vote relating to the Bankrupt Bill.

<i>Boston</i>	40	<i>Falmouth</i>	8	<i>Worcester</i>	5
<i>Salem</i>	15	<i>Springfield</i>	8	<i>Taunton</i>	5
<i>Marblehead</i>	10	<i>Nantucket</i>	8	<i>Beverly</i>	4
<i>Charlestown</i>	8	<i>Barnstable</i>	5	<i>Hingham</i>	4
<i>Newbury</i>	5	<i>Ipswich</i>	5	<i>Scituate</i>	4
<i>Plymouth</i>	5	<i>York</i>	5	<i>Marshfield</i>	4
<i>Glocester</i>	8				

The Committee appointed to prepare an Establishment for sundry Officers for the Forces raised for his Majesty's Service under the Command of the Earl of *Loudoun*, Reported according to Order. Read and accepted in Part; and

Ordered, That the following Establishment be made for the Officers hereafter mentioned, for the Forces raised for his Majesty's Service under the Command of the Earl of *Loudoun*, viz.

Establishment for Officers.

That there be allowed to a Chirurgeon- } 14 0 0 per Month
 General,
 To three Chirurgeon's Mates —each 5 11 0 Ditto
 To the first Officer over the said Forces, 18 0 0 Ditto
 To a Secretary to said Officer, who is to be } 8 0 0 Ditto
 a Commissary of the Musters for the Army. }

Sent up for Concurrence.

The Committee appointed on the Petition of *James Man*, Reported thereon.

Read and accepted, and Ordered, That there be allowed and paid out of the public Treasury, to the Petitioner, the Sum of *Three Pounds*, in Consideration of the half Pay he was intitled to, on his entering into the Service on the last *Crown-Point* Expedition.

Report on Petition of *James Man*.

Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Eastabrooks* and others of the like Import, Reported on the Petition of *Uriah Thayer*.

F f f f f f

Read,

Read and accepted, and *Ordered*, That the Treasurer pay to Capt. *Phineas Lovett* for the Use of the Petitioner the full of his Wages, his Arms not being returned notwithstanding: Also the Sum of *forty four Shillings & three Pence*, in Consideration of the half Pay he was intitled to, on his entring into the Service on the last Expedition against *Crown-Point*. Sent up for Concurrence.

Petition of
Wm. Little,
refer'd.

Ordered, That the Consideration of the Petition of *William Little*, and others, Inhabitants of the District of *Sbirley*, be referred to the next *May* Sessions.

Memorial of
Wm Williams
referred.

The Committee appointed on the Memorial of Capt. *Wm Williams*, by Leave of the House, laid the same on the Table, not having been able to ascertain the Facts so far as to make Report: And

Ordered, That the Consideration of said Memorial, be referred to the next *May* Sessions.

Report of a
Committee
on a suspected
Fraud.

The Committee appointed to enquire into a Fraud suggested to be in the Muster-Roll of Capt. *William Jones* on the last *Crown-Point* Expedition, and in the Muster-Roll of *John Smith*, Captain of a Scouting Company *A.D. 1755*, Reported thereon as follows, viz.

That having attended that Service, they find divers Persons born on Capt. *Jones's* Roll the whole Time, were not in the Service as carry'd out therein; that after a considerable Number of Persons born on said Roll had been paid, Capt. *Jones* went to the Treasurer, and informed him, that there were Errors in his Roll which he was not sensible of before his making Oath to it, and desired to Rectify the same, which was done, and the Treasurer reimbursed the Sum of *Fifty two Pounds eighteen Shillings and ten Pence one Farthing*, Lawful Money, and more noted on said Roll to be stop'd by the Treasurer: they also find, that Capt. *Jones* has returned into the Treasury six Dollars and an half Bounty Money, which he had reserved for *Benjamin Williams*, entred *Bettes's* Servant, who he supposed to be an enlisted Soldier.

On the Muster-Roll of Capt. *Smith*, they find, by the Oaths of *John Miller* and *John Webber*, (two of said *Smith's* Company) that *James Kee*, and *Obadiah Blake*, deserted in a little Time after they enter'd the Service, and yet are born on the Roll the whole Time; whose Wages they find Capt. *Smith* received, by an Order on the Treasurer, signed by them, (as Capt. *Smith* saith:) It was further suggested to them, that *Miles Gray* and *Edward Romery*, born on said *Smith's* Roll the whole Time, did the Duty but of one Man, as *Romery* took *Gray's* Place about a Month after *Gray* entred the Service, and that said *Gray* did not serve in the Company afterwards; and that *Samuel Worsley*, carried out in said Roll for three Months, was in the Service but about a Month: Capt. *Smith*, who was before them, said, that he had not his Papers with him, by which he made up his Muster-Roll, and so could not make Answer to the Matters alledged against him, and desired Time, that he might have an Opportunity to defend himself.

They therefore propose, that a further Enquiry be made into the Truth of these Facts on the second Friday of the next *May* Sessions, and

and that Capt. *Smith* be directed then to attend ; and that *John Stackpole*, Jun. and *Joshua Warren*, both of *Biddeford*, be ordered to attend at the same Time as Witnesses in the Affair ; and that it be referred accordingly.

Read, and accepted, and *Ordered*, That the Clerk of the House notify the above-named Persons accordingly.

The Committee appointed on the Petition of Capt. *Timothy Parker*, Reported thereon. Report on
Petition of
Tim. Parker.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *fifty six Shillings & seven Pence*, being the difference of the Wages due to him for the Time mentioned. Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for regulating Ferries*. Read a second Time, and after a Debate thereon, *Ordered*, That the further Consideration thereof be referred to the next May Sessions. Bill read.

The Committee appointed on the Petition of Capt. *Ebenezer Learned*, Reported thereon. Report on
Petition of
Capt. Eben.
Learned.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Capt. *Edward Davis*, for the Use of the Petitioner, *fifteen Shillings*, and for the Use of *Elisha Rich*, *Thomas Rich*, and *Jonathan Sawing*, *three Shillings* each, for the Use of their Arms mentioned.

Sent up for Concurrence.

The Committee appointed on the Petition of *Philip Walker*, Reported thereon. Report on
Petition of
Phil. Walker.

Read, and accepted, and *Ordered*, That the Province Treasurer be, and hereby is, directed to pay to the Petitioner, the Sum of *four Pounds seven Shillings*, for the Use of *Timothy Walker*, for his enlisting fifty-eight Soldiers, as also *thirty six Shillings* for sundry Persons finding their own Guns in 1755, and *three Shillings* for the Petitioner's finding his own Gun in 1756, as mentioned ; as also the Sum of *three Pounds nineteen Shillings and eight Pence*, being what *Joseph Walker* was made up short in Major *Houffe's* Roll in 1756. Sent up for Concurrence.

The Committee appointed on the Petition of *Thomas Foster*, Reported thereon. Report on
Petition of
Tho. Foster.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *eight Pounds seven Shillings & ten Pence one Farthing*, in full Discharge of his Account of Expences in supporting *Charles Mius* and Family, exhibited. Sent up for Concurrence.

The Committee appointed on the Petition of *William Pulling*, Reported thereon. Report on
Petition of
Wm. Pulling.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *twenty five Shillings*, for what he was made up short in the Muster-Roll, and also *three Shillings* for finding his own Gun on the last *Crown-Point* Expedition, making *one Pound eight Shillings* in the Whole.

Sent up for Concurrence.

The

Report on
Petition of
John Brad-
street, Esq;

The Committee appointed on the Petition of *John Bradstreet*, Esq; Reported according to Order.

Read, and after a Debate thereon, *Ordered*, That the Consideration of this Report be referred till the Afternoon.

Report on
Petition of
Sam. Breden.

The Committee appointed on the Petition of *Robert Eastabrooks*, and others of the like Import, Reported on the Petition of *Samuel Breden*.

Read and accepted, and *Ordered*, That the Treasurer be directed to pay to Mr. *Benjamin Hills*, for the Use of the Petitioner, the full of the Wages due to his Son on the last *Crown-Point* Expedition, his Arms not being returned notwithstanding.

Sent up for Concurrence.

Report on
Petition of
Sam. Low.

The Committee appointed on the Petition of *Nathanael Low*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to Mr. *Elijah Porter*, for the Use of the Petitioner, the Sum of *four Pounds*, in full for his Services on the last Expedition against *Crown-Point*.

Sent up for Concurrence.

Petition of
Simon Blood
bro't down.

John Hill, Esq; brought down a Petition of *Simon Blood*, Administrator of the Estate of *Samuel Hopkins*, late of *Billerica*, deceased, praying Liberty to make Sale of the Real Estate of the said Intestate, to enable him to discharge the just Debts due thereon.

Pas'd in Council, viz. In Council *April 20th 1757*.

Read and *Ordered*, That the Prayer of this Petition be granted; and that the Petitioner (in his said Capacity) be allowed and empowered to make Sale of the whole of the said Real Estate, to as good Advantage as may be, for the Purposes in said Petition mentioned, he giving previous Notice of such Sale, in Time and Manner as the Law directs in Case of the Sale of Real Estates by Executors and Administrators, and giving due Caution to the Judge of Probate for said County, that the Proceeds of such Sale (so far as is necessary) shall be duly applied for the Payment of the Deceased's just Debts; and that the Remainder shall be distributed among the Parties interested, agreeable to Law.

Sent down for Concurrence. Read and concur'd.

Report on
Petition of
Wm. Lawrence, Esq;

The Committee appointed on the Petition of *William Lawrence*, Esq; Reported, That it appeared to them that the Rights of Land sold by this Government (as therein mentioned) were sold at *five Pounds* each, that the Petitioner purchased his Rights, and had Warrantee Deeds of the same; and that those Rights are taken off into the Government of *New-Hampshire*, by running the Line between the two Governments: But, as the Affair is attended with considerable Difficulty, they were of Opinion the further Consideration thereof be referred to the next *May* Sessions.

On Petition
of *John Farrar*.

As also, the Petition of *John Farrar*, being of the like Import, which was committed to them for Consideration.

Read, and accepted, and *Ordered*, That the said Petitions be referred accordingly.

The Committees appointed on the Petitions of *Enoch Freeman*, Esq; of *Daniel Gedding*, and of *William Ranger*, by Leave of the House, laid the same on the Table again without Reporting, there being no Vouchers to the several Facts set forth in their said Petitions : And thereupon, Sundry Petitions referred to the May Sessions.

Ordered, That the Consideration of them be referred to the next May Sessions.

A Petition of *Zacheus Mayhew*, Esq; and others, Inhabitants of the Island of *Martha's-Vineyard*, setting forth, that by Reason of their Situation, and the small Number of Men belonging to said Island, (considerable Part of whom are obliged to be absent great Part of the Year on the Whaling and Fishing Business, for the Support of themselves and Families) they are greatly exposed to an Attack from the Enemy by Sea ; and praying a due Consideration may be had of their peculiar Circumstances, and no more of their Men may be impressed from among them into his Majesty's Service, or that they may be otherwise relieved, as shall be judged most expedient. Petition of Zacheus Mayhew, Esq; &c.

Read and *Ordered*, That the Consideration of this Petition be referred to the next May Sessions. Also,

Ordered, That the further Consideration of the Memorial of *Benjamin Pratt*, Esq; and others, a Committee appointed by the Town of *Boston*, be referred to the next May Sessions. Order on Petition of Benj. Pratt, Esq;

The Committee appointed on the Memorial and Accounts of the Commissaries on the late *Crown-Point* Expedition, Reported, that they had not had Time to proceed any further in the Affair, and by Leave of the House, laid the same on the Table again : Report on Commissaries Accounts.

Thereupon, *Ordered*, That the Consideration thereof be referred to the next May Sessions.

Ordered, That Col. *Cotton* go up with a Message to the honourable Board, to desire they would pass upon all Matters of Importance lying before them, that the Court may be dismissed this Evening, if their Honours please. Message to the Council.

The Committee appointed to prepare a Bill for distributing Prizes that may be taken during the present War, Reported a Bill Intituled, *An Act for the Encouragement of Seamen to enlist themselves in such Vessels of War, as are or shall be Commissioned, and fitted out by this Government, during the present War with France* : Which the Chair-man read at his Place, and then deliver'd in at the Table. Bill Reported.

The said Bill was read a first, second and third Time, and pass'd to be Engross'd. Sent up for Concurrence.

Thomas Hutchinson, *Stephen Sewall*, and *William Brattle*, Esqrs; came down with a Message from the honourable Board, to acquaint the House, that the Board are unanimously of Opinion, that the Court cannot, consistent with his Majesty's Service, Rise this Evening. Message from the Council.

On a Motion made and seconded, *Voted*, That the same Allowance be made to the Soldiers for their Subsistence on their Return from the Army to their respective Homes the last Year, as was allowed on the Expedition against *Crown-Point* in 1755, and on the same Conditions. Vote relating to Soldiers Subsistence.

Sent up for Concurrence.

Post Meridiem.

Report on The Committee appointed on Petitions from sick Soldiers the
Petitions of last Year, Reported on sundry of said Petitions : Which were
sick Soldiers. read, and the Reports accepted ; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to *Joseph Buckminster*, Esq; for the Use of *Thomas Temple*, £.5 16s. to *James Russell*, Esq; for the Use of *Nathanael Adams*, 34s. 4d. to *William Lawrence*, Esq; for the Use of *Thomas Hartwell*, £.7 17s. to *Thomas Foster*, Esq; for the Use of *Elijah Crocker*, 29s. 4d. to *Capt. Ephraim Spaulding*, for the Use of *Benjamin Butterfield*, 48s. in full of the Expences on the last Expedition against *Crown-Point*, in their Petitions respectively mentioned.

Sent up for Concurrence.

Order relating to Fire-Arms.

On a Motion made and seconded, *Ordered*, That *Thomas Foster*, Esq; *Capt. Lovett*, and *Capt. Epes*, be a Committee to prepare the Draught of a proper Vote, enabling some suitable Persons to secure such of the Province Arms as are in the Hands of Persons who enlisted into the Service the last Year, but did not proceed on the Expedition, and are not born in any Muster-Roll, and Report.

Report on
Petition of
Aaron Clarke.

The Committee appointed on the Petition of *Robert Eastbrooks*, and others of the like Import, Reported on the Petition of *Aaron Clarke*.

Read, and accepted, and *Ordered*, That the Treasurer be directed to pay to *Col. Marcy*, for the Use of the Petitioner, the whole of his Wages on the late *Crown-Point* Expedition, his Arms not being returned notwithstanding. Sent up for Concurrence.

Petition of
Tho. Poynton.

A Petition of *Thomas Poynton* of *Salem*, Commander of the Ship *Effex*, setting forth, that the said Ship is laden with a Cargo of Wheat, designed for the Relief of his Majesty's Subjects in *Ireland* or *England*, that great Part of the Cargo has been on board a considerable Time, and is in Danger of being damnified, that the Owner of said Ship and Cargo has been at great Expence to Sailors and for Insurance, and the Season so far advanced, that unless the said Ship be permitted to sail very soon, it will probably be very detrimental to her intended Voyage ; and praying that she may be allowed to proceed thereon, the Embargo notwithstanding.

Read and *Ordered*, That the Petition be dismiss'd.

Grant to the
Commanding
Officer
of the Forces
rais'd by the
Province.

The House took under Consideration an Allowance for the Table of the Commanding Officer of the Forces raised by this Province for the present Campaign ; and after a Debate thereon, *Voted*, That there be allowed and paid out of the public Treasury, to the Chief Officer of the Forces raised by this Province for his Majesty's Service under the Command of his Excellency the Earl of *Loudoun*, the Sum of *One Hundred Pounds*, for the Expences of his Table, on the present Expedition. Sent up for Concurrence.

Report on
Bristol Excise

Benjamin Lincoln, Esq; brought down the Report of the Committee appointed to Farm out the Duties of Excise on Tea, Coffee and China-Ware, in the County of *Bristol* the present Year.

Signed *George Leonard*, per Order.

In

In Council *April* 20th 1757. Read and sent down.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to the said Committee, the Sum of *thirty Shillings*, in Discharge of their Account of Time and Expences exhibited.

Sent up for Concurrence.

Ordered, That the Members of the House, who are now in Town, be enjoined to give their Attendance on Friday next, at ten o'Clock in the Forenoon, on Penalty of the Displeasure of the House. Members enjoined.

A Petition of *Epes Sargeant*, Junr. of *Glocester*, in the County of *Essex*, Esq; praying that the House would be pleased to Reconsider their Vote, directing the King's Attorney to prosecute those who had allowed their Fishing Vessels to depart contrary to the Proclamation issued by the late Lieut. Governour and Council, as he, and the others mentioned, had no Design of acting in Contempt of, or Disobedience to the said Proclamation; but entirely thro' Misapprehension of the Intention thereof, they being informed, and really believing, that Fishing Vessels were not designed to be restrained thereby. Petition of *Epes Sargeant* Esq;

Read, and on a Motion made and seconded, *Ordered*, That Col. *Hale* go up with a Message to the honourable Board, to enquire whether they have passed on the Vote of the House, directing the Attorney-General to prosecute sundry Persons for allowing their Fishing Vessels to sail on their Voyages to the Banks, in Contempt of the Proclamation issued by the late Lieut. Governour, with Advice of his Majesty's Council, and if not, to desire it may be sent down. Order thereon. Who returned, that he had delivered the Message.

Isaac Royall, Esq; brought down the said Vote accordingly, and also the following Vote of Council, viz. In Council *April* 19. 1757. Vote of Council relating to said Affair bro't down.
Whereas the Limitation of four Days only for any Fishing Vessels to be out on their Voyage, is found to be the Means of causing the Fishery entirely to cease: And it being apprehended, that no Inconvenience can arise from their being absent a longer Time, provided they do not go beyond the Limits within which the Coasting Vessels (which are allowed to depart from one Port to another) usually pass: Therefore,

Ordered, That any Vessels employed in Fishing, may have Liberty to be absent twelve Days from their respective Departure: *Provided always*, That if any Fishing Vessels shall go to the Eastward of *Falmouth* in *Casco-Bay*, or to the Southward of *Cape-Cod*, unless it shall be made to appear to have been absolutely unavoidable, the Owners and Masters of such Vessels shall be liable to forfeit and pay in like Manner as if this Order had not been made and passed.

Sent down for Concurrence.

Read and non-concur'd.

And the House Re-assuming the Consideration of the above-mentioned Petition of *Epes Sargeant*, after a Debate thereon,

Ordered, That the same be dismissed.

Ordered, That Capt. *Stevens* go up with a Message to the honourable Board, to desire that the Fishing Vessels now lying in the several Ports within the Province, may be allowed to sail on their Voyages Message to the Board.

Message
from the
Board.

Voyages to the Banks, after Monday next, the Embargo notwithstanding. Who returned, he had delivered the Message.

John Chandler, Esq; came down with the Vote passed this Court the 28th of *Febr.* 1756, freeing the Officers and Soldiers on the late *Crown-Point* Expedition, from their Poll-Tax, with a Message, to desire the House would pass some further Order, that so the Treasurer may be enabled to pay to the several Towns & Districts the Sums they are by said Vote intitled to.

Order there-
on.

Ordered, That *Col. Cotton*, *Col. Hale*, and *Capt. Richardson*, be a Committee to take the said Affair under Consideration, and Report what they judge proper for this Court to do thereon.

Report on
Petition of
John Bradstreet, Esq;

The House, according to Order, Re-assumed the Consideration of the Report of the Committee on the Petition of *John Bradstreet*, Esq; And after a large Debate thereon, the said Report was accepted; and

Ordered, That the Prayer of the Petition be so far granted, as that there be allowed and paid out of the public Treasury to the Petitioner, the Sum of *Eighty three Pounds four Shillings*, in full for fourteen Months Service, in the Expedition against *Louisbourg*: And as to his Demands for the Employment of himself & Vessel, in transporting the English as mentioned, that the Consideration thereof be referred. Sent up for Concurrence.

Report on
Memorial of
Andr. Oliver, Esq;

The Committee appointed on the Memorial of *Andrew Oliver*, Esq; and others, Trustees appointed in the Manufactory Act, Reported that some Papers having been mislaid, they had not duly considered the Affair; and thereupon,

Ordered, That the Consideration of said Memorial be referred to the next *May* Sessions.

Then the House adjourn'd 'till Friday next, at nine o'Clock in the Forenoon.

Veneris 22. Die Aprilis, A. D. 1757.

Report of
Committees
relating to
French Neu-
trals, bro't
down.

Isaac Royall, Esq; brought down the Report of a Committee of both Houses on the Petition of *Samuel Livermore*, Esq;

Signed *John Erving*, per Order.

Pass'd in Council, viz. In Council *April* 20th 1757. Read and accepted, and *Ordered*, That the Select-Men of *Brookfield*, receive the said French Persons, and govern themselves with Regard to them according to Law. Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

Isaac Royall, Esq; brought down the Report of the Committee of both Houses on the Petition of *Henry Gibbs*, Esq;

Signed *John Erving*, per Order.

Pass'd in Council, viz. In Council *April* 20th 1757. Read and accepted, and *Ordered*, That the Select-Men of *Dedham* receive the said French Persons, and govern themselves with Regard to them according to Law. Sent down for Concurrence.

Read and concur'd, with the Amendment at A.

Sent up for Concurrence.

Ordered,

Ordered, That the Consideration of the Petition of the Select-Men of *Liecester*, be referred to the next *May* Sessions. *Leicester Pe-
tition refer'd*

Richard Cutt, Esq; brought down a Bill Intituled *An Act to dissolve the Marriage of Jonah Gallushia with Sarah Gallushia, and to allow him to marry again.* Pass'd in Council, viz. In Council *April* 20th 1757. This Bill having been read a first, and second Time, pass'd to be Engross'd. Bill bro't
down.

Sent down for Concurrence.

Read a first, second and third Time, and pass'd a Concurrence. Vote rela-
ting to Sol-
diers Poll-
Taxes.

The Committee appointed to consider what is proper to be further done with Regard to the Vote freeing Soldiers from their Poll-Taxes the last Year, Reported the following Draught of a Vote, which was read and accepted, viz.

Whereas an Order pass'd the Great and General Court the 18th of Febr. 1756, in the following Words, viz.

"Voted, That such Officers and Soldiers as shall go into his Majesty's Service in the proposed Expedition against *Crown-Point*, shall not be taxed for their Polls the present Year."

Which Order has not been acted on ; Therefore,

Ordered, That one or more of the Assessors of the several Towns or Districts which furnished such Officers and Soldiers, upon their producing a Certificate under Oath, to the Treasurer of the Province, that the Persons therein named were actually in the Service, shall receive an Equivalent therefor out of the public Treasury : And that this Order be lodged with the Treasurer, for his Direction, accordingly. Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Mr. *Taylor* go up with a Message to the honourable Board, to desire the Committee appointed on the Letter from *Benjamin Franklin*, Esq; to the late Lieut. Governour, may be directed to sit forthwith, and Report as soon as may be. Message to
the Council.

Who returned, that he had delivered the Message.

The Committee appointed on Petitions from sick Soldiers on the last Expedition against *Crown-Point*, Reported on sundry of said Petitions ; which were read, and the Reports accepted : Report on
Petitions of
sick Soldiers. And thereupon,

Ordered, That there be allowed and paid out of the public Treasury to Mr. *Samuel King*, for the Use of *Edward Cobb*, the Sum of £.24 2s. 11d. to *John Worthington*, Esq; for the Use of *William Brown*, £.6 1s. and for the Use of *William Stebbins*, 41s. 8d. to *Joseph Gerrish*, Esq; for the Use of *Daniel Barker* 40s. to Capt. *Nath. Sumner*, for the Use of *Timothy Draper*, £.5 4s. and to Capt. *Ithamar Hubbell*, for the Use of *Samuel Shears*, 30s. in Consideration of the Expences whilst in the Service on the last Expedition against *Crown-Point*, in their Petitions respectively mentioned.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Col. *White* go up with a Message to the honourable Board, to acquaint them, that the House have Nothing of a public Nature lying before them, and if the honourable Board have, to desire they would Message to
the Board.

H h h h h h

give

give Dispatch to the same, that the Court may have a Dismission this Day, if their Honours please.

Who returned, that he had delivered the Message.

Report on
Petition of
Phil. Goodrich.

The Committee appointed on the Petition of *Philip Goodrich*, Reported verbally, that the Accounts therein referred to were not vouched ; Thereupon,

Voted, That the Petitioner have Leave to withdraw his Petition.

Report on
Petition of
John Bagley.

The Committee appointed on the Petition of *John Bagley*, Reported thereon verbally, That they having examined the same, find Part of the Facts true, and others not vouched, and by Leave of the House, laid the same on the Table again : Thereupon,

Ordered, That the Consideration thereof be referred to the next May Sessions.

Message to
the Council.

Ordered, That Mr. *Tasler* go up to the honourable Board, to desire the List of the Travel and Attendance of the Members of this House may be sent down, if they have not passed thereon.

Who returned, that he had delivered the Message.

The Deputy Secretary brought down the same accordingly.

Report on
Petition of
John Norton,
Esq;

The Committee appointed on the Petition of *John Norton*, Esq; by Leave of the House, laid the same on the Table again without Report ; and

Ordered, That the Consideration thereof be referred to the next May Sessions.

Petition of
Ashbell Hop-
kins.

A Petition of *Ashbell Hopkins* of *Harrington*, in the Colony of *Connecticut*, setting forth, that he enlisted into the Service of this Government the last Year, in the Regiment under the Command of Col. *Dwight*, attended his Duty as Clerk of a Company for several Weeks at *Stockbridge* and *Sheffield*, before the Forces marched, that he was taken sick, and thereby prevented from proceeding any further in the Service, and was confined there for a long Time, and at considerable Expence ; and after his Recovery, was ordered to tarry to procure Things suitable for sick Soldiers on their Return from the Army, for which Services he was made up in the Muster-Roll as Clerk, which has been since dis-allowed ; and praying a suitable Allowance may be made him for said Services.

Petition of
Sam. Cole.

Read and *Ordered*, That Col. *White*, Col. *Cotton*, and Major *Stockbridge*, take this Petition under Consideration, and Report thereon.

A Petition of *Samuel Cole* of *Beverly*, in the County of *Essex*, shewing that in *June* last, he in a drunken Frolick unhappily broke a Gun, for which he was apprehended and put into *Concord* Goal, and carried to *Cambridge* Court, where he received such Punishment as was tho't proper, the Costs of which Prosecution he is unable to pay ; and praying that he may be set at Liberty, as he has a Family in poor Circumstances, whose Dependence is upon his Labour for their Support, or that he may be otherwise relieved, as shall be judged meet.

Report on
Nantucket
Excise.

Read and *Ordered*, That this Petition lye on the Table.

The Report of the Committee appointed to Farm out the Duties of Excise on spirituous Liquors for the present Year, in the County of *Nantucket*, signed *Abishai Folger*, per Order, was laid on the Table.

Read

Read and *Ordered*, That this Report be accepted, and that there be allowed and paid out of the public Treasury to the said Committee, the Sum of *twenty four Shillings and eight Pence*, in Discharge of their Account of Time and Expences exhibited.

Sent up for Concurrence.

A Petition of *John Clap*, Captain of a Company on the last Expedition against *Crown-Point*, praying that he may be allowed the Billeting Money he paid at *Boston* for his Company, whilst they tarried there to be mustered, and to receive their Arms and Accountments before they marched in said Service. Petition of *John Clap*.

Read and *Ordered*, That Major *Freeman*, Mr. *Humphry*, and Mr. *Folger*, be a Committee to consider this Petition, and Report thereon.

The Committee appointed on the Petition of *Timothy Woodbridge*, by Leave of the House laid the same on the Table without Report ; and Petition of *Tim. Woodbridge*, Esq; referred.

Ordered, That the Consideration thereof be referred to the next May Sessions, for further Evidence.

A Petition of Capt. *Benjamin Newhall* of *Lynn*, in the County of *Essex*, setting forth, that being Commander of the second Company of Militia in said Town, he expended *Eighteen Pounds*, in hiring Men for his Majesty's Service, on the present Expedition ; and praying that he may be Reimbursed the said Sum out of the Fines the Clerk of his Company may recover from sundry of his Men, who did not make their Appearance on the 22d of *March* last, the Day appointed for the General Muster. Petition of Capt. *Benj. Newhall*.

Read and *Ordered*, That Col. *White* prepare the Draught of a proper Vote to be passed thereon, granting the Prayer of the Petition.

A Memorial of *John Indicott*, and others, Officers of the Forces raised by this Province for his Majesty's Service, under the Command of the Earl of *Loudoun*, praying that the Vote for dismissing the Petition lately presented to this Court, signed *Joel Bradford*, and others, as entred the 18th Current, may be re-considered, and the same revived, and that they may have such Pay advanced them as shall be judged proper, to enable them to defrey the Charges they have already been at, and to behave suitably to the Character of Persons in their Stations belonging to this Province, and in his Majesty's Service. Petition of *John Indicott* and others.

Read and *Ordered*, That Mr. *Welles*, *James Russell*, Esq; and Col. *White*, be a Committee to take this Memorial under Consideration, and Report what they judge proper for this Court to do thereon.

Col. *White*, according to Order, Reported the following Draught of a Vote on the Petition of Capt. *Benjamin Newhall* ; which was read and accepted, viz. Vote on Capt. *Newhall's* Petition.

Voted, That the Prayer of the Petition be granted ; and that the Petitioner be, and hereby is, authorized and impowred to receive, and retain to his own Use, out of the Fines which shall be recovered by his Clerk of those delinquent Soldiers, who did not appear at the General Muster, on the 22d of *March* last, the *Eighteen*

teen Pounds mentioned, which he has advanced for hiring Soldiers for the present Expedition, and the Overplus (if any there be) to be applied as by Law is already provided, he the said *Newhall* to render an Account of his Proceedings herein to the Treasurer of the Town of *Lynn*, agreeable to Law.

[Sent]

Sen up for Concurrence.

Vote relating to *Robt. & Step. Cooke*.

Whereas Information has been made to this House, that Robert Cooke and Stephen Cooke, of Wrentham, inlisted the last Year into the Expedition against Crown-Point, and never joined the Army, but took out their whole Bounty, Arms &c.

Voted, That Capt. Phineas Lovett of Mendon, be directed & impow- red, to demand the Arms of the said Robert and Stephen Cooke, and upon their Refusal, to make Application to some Justice of the Peace in the County, for a Warrant to take the Arms wherever they may be found ; as also to apprehend the said Robert & Stephen Cooke, and carry them before some Justice of the Peace in the County, where they or either of them may be found, that they may be examined as to their deserting the Service under Capt. Nathan Tyler, into whose Company they inlisted, as also concerning the Bounty, Blankets, or whatever else they may have received of the Province, and may be proceeded with according to Law.

Sent up for Concurrence.

Petition of *James Penniman*, and others.

A Petition of James Penniman and sundry others, Inhabitants of the Towns of Braintree, Bridgewater, &c. praying that an Act may be passed for Regulating the Season for gathering Bay-berries, and prevented their being wasted by being gathered before they are ripe, and for securing the Property to the Owners, where growing on Lands inclosed, they apprehending the said Article might be of considerable Advantage to the Public, as well as to private Persons, if properly improved.

Read and Ordered, That the Consideration of this Petition be referred to the next May Sessions.

Report of a Committee.

The Committee appointed to confer with Sir William Pepperrell, on the Affair of his Expences whilst engaged in the Expedition against Louisbourg, Reported, that they had attended that Service, and laid an Account of sundry Articles received from him, before the House : Which was

Read and Ordered, That the Consideration thereof be referred to the next May Sessions.

Report on Petition of *Ashbell Hopkins*.

The Committee appointed on the Petition of Ashbell Hopkins, Reported thereon.

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to the Petitioner, three Months Wages, amounting to five Pounds fifteen Shillings, in full of his Services, &c. in his said Petition mentioned.

Sent up for Concurrence.

Treasurer directed.

Ordered, That the Province Treasurer, without any Delay, pay the Forces raised by this Province to serve under the Right Hon. the Earl of Loudoun, the Billeting Money this Court have agreed to provide, that so they may be enabled to March forthwith.

Sent up for Concurrence.

John

John Otis, Esq; brought down the following Vote of Council,
viz. In Council *April* 22d 1757.

Voted, That *John Cushing*, *Samuel Watts*, *John Chandler*, *Andrew Oliver*, and *William Brattle*, Esqrs; be a Committee to confer with a Committee that may be appointed by the honourable House, upon the Bill now lying before the Board, Intituled *An Act for Enquiring into the Rateable Estates of the Province*, the said Committee to sit forthwith. Sent down for Concurrence. Vote of Council on a Bill bro't down.

Read and non-concur'd, and *Ordered*, That the Consideration of said Bill be referred to the next *May* Sessions.

Sent up for Concurrence.

The Committee appointed on the Memorial of *Jonathan Fessenden*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to *Roland Cotton*, Esq; for the Use of the Petitioner, the Sum of *twenty four Pounds fifteen Shillings and five Pence*, in full of his Pay as made up in the Muster-Roll. Report on Memorial of *John Fessenden*.

Sent up for Concurrence.

Post Meridiem.

Ordered, That *John McKethney* of *St. George's*, be directed to attend the General Court, on the second Friday of the next *May* Sessions, to give Evidence in the Affair of Capt. *John North*, Commanding Officer at *Pemmaquid* Fort. Sent up for Concurrence. John Mc Kethney directed.

On a Motion made and seconded, *Voted*, That the Treasurer be, and hereby is, directed not to pay off the Wages of *John Pierce*, who was left by General *Winslow* at *Lake-George*, to take Care of the Province Stores there, till his Accounts as Commissary on the last *Crown-Point* Expedition, shall have been passed on. Treasurer directed.

Sent up for Concurrence.

Mr. Secretary *Oliver* came down with a Message from the honourable his Majesty's Council : Which he read, and laid on the Table, and then withdrew. Message from the Council.

Read and *Ordered*, That Col. *White*, Col. *Cotton*, and Mr. *Flucker*, be a Committee to take the said Message under Consideration, and Report what they judge proper for this Court to do thereon.

On a Motion made and seconded, *Ordered*, That Col. *Hale*, Mr. *Welles*, and *Thomas Foster*, Esq; be a Committee to take under Consideration what may be proper to be done with Regard to the Bread, Flour, and other Stores belonging to the Province, now at *Albany*, and Report thereon. Committee on Province Stores.

The Committee appointed on the Petition of *John Indicott*, and others, Officers of the Forces raised for his Majesty's Service the present Campaign, Reported thereon. Report on Petition of *John Indicott*.

Read, and accepted, and *Ordered*, That the Province Treasurer be, and hereby is, directed to advance one Month's Wages to each of the Commission Officers, going with the Forces raised by this Province, to serve under the Right Hon. the Earl of *Loudoun*.

Sent up for Concurrence.

The Committee appointed on the Petition of *Josiah Quincy*, *Nathanael Cunningham*, *Sarah Daws*, and *Isaac Merrill*, Reported according to Order. Report on divers Petitions.

Treasurer
directed re-
lating there-
to.

Read, and accepted, and *Ordered*, That the Province Treasurer be, and hereby is, directed to pay the Amount or Value of the Province Bills of Credit, mentioned in the Petitions of *Josiah Quincy*, *Nathanael Cunningham*, *Sarah Daws*, and *Isaac Merrill*, to the said Petitioners, or their Order respectively, on their delivering said Treasurer the Bills aforesaid. Also,

That the Treasurer be directed to pay to *Thomas Foster*, Esq; or Order, *eleven Shillings and one Penny*, for *four Pounds three Shillings* Old Tenor Bills he is possessed of; & *five Pounds five Shillings & ten Pence* to *Stephen Maynard*, or Order, for *thirty nine Pounds fourteen Shillings* in his Possession, of the same Tenor Bills; & *thirty four Shillings and three Pence*, to *Caleb Cushing*, Esq; or Order, for *twelve Pounds sixteen Shillings and ten Pence*, of like Old Tenor Bills belonging to him, they each one delivering to the said Treasurer the respective Sums mentioned in Old Tenor Province Bills, or other Bills of this Province Equivalent. Sent up for Concurrence.

Report on
Petition of
Sam. Freeman
&c.

The Committee appointed on the Petition of *Samuel Freeman*, and *James Ward*, Reported thereon.

Read, and accepted, and *Ordered*, That the Treasurer pay to the Petitioners, six Dollars each, in Consideration of their Bounty Money, and finding their own Arms, as mentioned.

Sent up for Concurrence.

Committee
on the
Board's
Message.

The Committee appointed to take under Consideration the Message from the honourable his Majesty's Council of this Afternoon, Reported thereon verbally: Which Report was accepted; and

Ordered, That Mr. Speaker, Mr. *Flucker*, and Mr. *Welles*, be a Committee for the Purposes mentioned, and to Report on the first Friday of the next May Sessions accordingly.

Report on
Petitions of
sick and
wounded
Soldiers.

The Committee appointed on Petitions from sick and wounded Soldiers in 1755, Reported on the following Petitions: Which were read, and the Reports accepted; and thereupon,

Ordered, That there be allowed and paid out of the public Treasury to *Moses Marcy*, Esq; for the Use of *John Rice*, the Sum of £.3, to Capt. *Ithamar Hubbell*, for the Use of *Meriam Olds*, 13s. 6d. to Capt. *Phineas Lovett*, for the Use of *Uriah Thayer*, 40s. and to Capt. *Ephraim Spaulding*, for the Use of *Timothy Clement*, 30s. in full Consideration of the Expences in 1755, on the Expedition against *Crown-Point*, in their respective Petitions mentioned.

Sent up for Concurrence.

Report on
Petition of
John Clap.

The Committee appointed on the Petition of Capt. *John Clap*, Reported thereon.

Read, and accepted, and *Ordered*, That there be allowed and paid out of the public Treasury to *Thomas Clap*, Esq; for the Use of the Petitioner, the Sum of *Six Pounds three Shillings*, in full for the Billeting mentioned. Sent up for Concurrence.

Isaac Jen-
nings.

The Committee appointed on Petitions from sick Soldiers on the last Expedition against *Crown-Point*, Reported on the Petition of *Isaac Jennings*. Read, and accepted, and

Ordered, That the Petition be dismiss'd accordingly.

The

The Committee appointed on the Petition of *Robert Eastabrooks*, Report on
and others of the like Import, Reported on the Petition of *Elizabeth Breden*.
Eliz. Breden.

Read, and accepted, and Ordered, That the Treasurer pay to Mr. *Benjamin Hills*, for the Use of the Petitioner, the full Wages of the said *John Breden*, his Arms not being returned notwithstanding.
Sent up for Concurrence.

The Committee appointed to prepare a Vote relating to the disposing of the Bread, Flour &c. belonging to the Province at Albany, Reported the following Draught ; which was read and accepted, viz.
Vote relating to disposing of Provisions at Albany &c.

Whereas this House has received Information, that there is a large Quantity of Bread, Flour and Pork, as well as many Implements, such as Spades, Axes, Hoes &c. belonging to the Province, still lying at Albany and elsewhere, near and beyond it, being of such as were provided for the Expedition the last Year, which, unless proper Care be taken of them, may be utterly lost and spoiled : Therefore,

Voted, That the Committee of War be directed, forthwith to write to *Robert Sanders*, Esq; to make Sale, for the most they will fetch, of all such Stores as soon as may be, and Remit the neat Proceeds thereof to the said Committee, for the Use of the Province.
Sent up for Concurrence.

The Committee appointed on the Petition of *James Penniman*, Report on
and *Samuel Niles*, Jun. Reported verbally, That the Affair being attended with some Difficulty, they had not agreed on a full Report ; and by Leave of the House laid the same on the Table again. And thereupon,
Report on Petition of *James Penniman*, and others.

Ordered, That the Consideration thereof be referred till the next May Sessions.

Whereas the Committee for farming the Excise on Tea &c. in the County of Suffolk, have found it impracticable to dispose of it to the Value : Therefore,
Vote relating to the Excise on Tea &c.

Voted, That a Collector of said Duty be chosen and Commissioned, who shall be under Oath, have and exercise the same Powers as by Law the Farmers of said Excise in the other Counties have and enjoy, and be accountable to this Court for his Collections, and receive *five per Cent.* as a Reward for his Services ; the Choice to be made by the two Houses, to Morrow Morning at ten o'Clock.

Sent up for Concurrence.

The Committee appointed on the Memorial of *Joseph Frye*, Esq; Reported the following Vote thereon ; which was read and accepted, viz.
Vote on Memorial of Col. Frye.

The Baggage of Col. Frye and his Officers, being put on Board one of the Transports, taken up by the Earl of Loudoun's Agent :

Voted, That the Committee of War be directed to give Orders to some Person in *New-York*, to assist in Transporting the same to *Kenderhook*, and to pay the Charge thereof, if any.

Sent up for Concurrence.

Ordered, That *Samuel Welles*, and *James Russell*, Esqrs; with such as the honourable Board shall join, be a Committee to take Bonds, agreeable

agreeable to an Act Intituled, *An Act for raising a Sum of Money by Lottery, for Encouragement of the Settlement called German-Town, in the Town of Braintree*, and lodge the same with the Province Treasurer. Sent up for Concurrence.

Vote relating to Soldiers Allowance.

Whereas a Soldier's Allowance in the King's Service, is four Pounds of Pork, or seven Pounds of Beef, seven Pounds of Bread, three Pints of Peas, one Pound of Flour, or equivalent in Rice, and seven Fills of Molasses per Week only : Therefore,

Order relating to a Commissary

Voted, That for the more comfortable Subsistence of the Forces raised by this Province for the present Campaign, the Committee of War be directed to provide and put into the Hands of the Commissary for said Forces, a suitable Quantity of Clothes, Chocolate, Sugar, Tobacco, Soap and Ginger. Sent up for Concurrence.

Ordered, That the Commissary for the Forces raised by this Province for his Majesty's Service, under the Command of the Right Hon. the Earl of Loudoun, be allowed an Assistant, who shall receive three Pounds per Month Wages, for his said Service.

Sent up for Concurrence.

Bill enacted.

An Engross'd Bill Intituled, An Act for the Encouragement of Seamen to enlist themselves in such Vessels of War as are or shall be commissioned and fitted out by the Government during the present War with France. Read and Resolved, That the Bill pass to be Enacted.

Bill bro't down.

John Greenleaf, Esq; brought down the Bill Intituled, *An Act for Enquiring into the Rateable Estates of the Province.*

Pass'd in Council, viz. In Council April 22d 1757.

Read and concur'd with the Amendments.

Sent down for Concurrence.

Read and concur'd with the further Amendment.

Sent up for Concurrence.

Order relating to Samson French.

It being suggested to the House, that one Samson French, a Person belonging to Salem in New-Hampshire Government, who is not born on any Muster-Roll for the late Expedition against Crown-Point, is possessed of Arms belonging to this Province, which he received on his entering into the Service aforesaid :

Ordered, That Capt. Barker be directed to make Enquiry into the Affair, and use his Endeavour to secure the said Arms, in order to their being returned into the Commissary-General's Store.

Order relating to Memorial of Tho Hutchinson, Esq;

The Committee appointed on the Memorial of *Thomas Hutchinson, Esq;* as entered the 25th of February last and refer'd, by Leave of the House, laid the same on the Table again; without Report : Thereupon,

Ordered, That the further Consideration of said Memorial be referred to the next May Sessions.

Then the House adjourn'd, 'till to Morrow Morning Nine o'Clock.

Sabbati 23. Die Aprilis, A. D. 1757.

President Holyoke's Memorial refer'd.

THE Chairman of the Committee appointed the 17th of April 1756, to enquire into the Grants &c. made to the Reverend Mr. Edward Holyoke, since his being chosen President of Harvard-College..

College, acquainted the House that they had not been able hitherto to attend that Service : Thereupon,

Voted, That the Consideration of that Affair be referred to the next May Sessions.

A Petition of *John Malcom* and *Joseph Deckers*, Owners of a Vessel employed in *November* last to carry Stores to *Albany* for the Provincial Troops, posted on the Frontiers of *New-York* Government, setting forth that after a long Passage there, and before they could get ready to sail from thence, they were frozen up, and the Vessel afterwards forced by the Ice so far on the Shore, that they have not been able to get her off to this Time, which unhappy Affair has been attended with great Expence to them ; and praying that the same may be taken under Consideration, and such Relief afforded them as shall be judged reasonable.

Petition of
John Malcom
and *Joseph*
Deckers.

Read and *Ordered*, That the Consideration of this Petition be referred to the next May Sessions.

Ordered, That *Capt. Stevens* go up to the honourable Board, to enquire whether they have acted on the Message from the House, desiring that the Fishing Vessels may be allowed to proceed on their Voyages to the Banks, the Embargo notwithstanding.

Message to
the Council.

Who returned, that he had delivered the Message.

William Brattle, Esq; came down with a Message from the honourable Board, to acquaint the House, that they have referred the Consideration of the Expediency of taking off the Embargo from the Fishery, until Monday next in the Forenoon.

Message
from the
Council.

James Minot, Esq; brought down the Report of the Committee of both Houses, appointed on the Memorial of *Florentius Vassall*, Esq;

Report of a
Committee
on the Me-
morial of
Florentius
Vassall, Esq;

Signed *John Cushing*, per Order.

Which Report is as follows, viz.

The Committee to whom was referred the Memorial of *Florentius Vassall*, Esq; have considered thereon, and are of Opinion, that the Prayer thereof be so far granted, as that a Tract of Land bounded as followeth, viz. All that Tract of Land lying between the Rivers of *Penobscott*, and the River *St. Croix*, including said Rivers, to extend from the Sea on the South up the Bay and River, for the Space of thirty Miles, as the Bay and main Rivers run, and from thence on a due North Course by the Needle, to the River of *St. Lawrence*, and bounded North on the River *St. Lawrence*, and South on the Sea, including the Islands lying within the Bay aforesaid, be granted by the General Court to the said *Vassall*, his Heirs and Assigns, upon the following Conditions, viz. That the said *Vassall*, his Heirs and Assigns, shall, within two Years next coming, build a good Fort within said Tract of Land on *Penobscott-River*, near the Falls ; and within fifteen Years next coming, settle five Hundred Families of Protestants, in a regular and defensible Manner, at all Events : And in Case this Government shall build a Fort there sooner than said *Vassall* shall do it, that said *Vassall* shall pay to this Province the Cost thereof, not exceeding *One Thousand Pounds Sterling*. And if the Conditions aforesaid be not performed, then the said Lands and Appurte-

nances

nances shall Revert to the said Province, and they shall have Right to enter thereinto, and be seized thereof as in their former Estate.

In Council *April* 22d 1757. Read and sent down.

Read and *Ordered*, That the Consideration of this Memorial, and Report thereon, be referred to the next *May* Sessions.

Message
from the
Council.

John Chandler, Esq; came down with a Message from the honourable Board, to acquaint the House, that they have concurred the Vote for choosing a Collector of the Excise on Tea, &c. in the County of *Suffolk*, and as the Time assigned is now come, they are ready to proceed to the Choice : Thereupon,

Message to
the Council.

Ordered, That *Col. Cotton*, *Capt. Newhall*, and *Mr. Folger*, be a Committee to collect and carry up the Votes of the House, and assist in sorting & counting the same, together with the Votes of the honourable Board, and to Report the Choice that shall be made.

Collector
chosen.

The House then proceeded to bring in their Votes accordingly ; which being collected by the said Committee, and carried up to the honourable Board, they Reported that *Mr. John Cotton*, Register of the Court of Probate, &c. was chosen.

Message for
a Dissolution

Ordered, That *Col. Hale*, *Col. Cotton*, *Col. White*, *Col. Quincy*, *Mr. Flucker*, *Mr. Bradbury*, and *Capt. Livermore*, be a Committee to wait on the honourable his Majesty's Council, and acquaint them, that it is the Desire of the House, the Court may have a Dissolution this Day.

Who returned, that they had delivered the Message.

Petition of
Inhabitants
of *New-
Marblehead*,
and *Merry-
coneague
Neck*, bro't
down.

John Greenleaf, Esq; brought down the Petition of the Inhabitants of *New-Marblehead*, as entred the 12th of *October* last.

Pass'd in Council, viz. In Council *April* 23d 1757.

Read and *Ordered*, That the Consideration of this Petition, be referred to the second Wednesday of the next *May* Sessions.

Sent down for Concurrence. Read and concur'd.

John Greenleaf, Esq; brought down the Petition of the Inhabitants of *Merryconeague Neck*, as entred the 13th of *October* last.

Pass'd in Council, viz. In Council *April* 23d 1757.

Read and *Ordered*, That the Consideration of this Petition, be referred to the second Wednesday of the next *May* Sessions.

Sent down for Concurrence. Read and concur'd.

Petition of
*Capt. Noah
Sprague* bro't
down.

John Greenleaf, Esq; brought down the Petition of *Capt. Noah Sprague*, as entred the 14th of *January* last.

Pass'd in Council, viz. In Council *April* 23d 1757.

Read again, and *Ordered*, That this Petition and the Answer of the Town of *Dartmouth*, be referred for Consideration, to the second Wednesday of the next *May* Sessions.

Sent down for Concurrence. Read and concur'd.

Message
from the
Board.

Mr. Secretary Oliver came down with a Message from the honourable Board, to acquaint the House, That it is the Opinion of the Board, that the Court cannot, consistent with his Majesty's Service, rise this Day ; as there are sundry Matters of Importance not passed on, lying before the Court ; and as it is probable, some News may be received from his Excellency the Earl of *Loudoun*, or from the Fleet, by Monday next : Thereupon,

Ordered,

Ordered, That all the Members of the House, now in Town, who have not had Leave to go Home, be enjoined to give their Attendance on Monday next at ten o'Clock, under Penalty of the Displeasure of the House. Members enjoined. And

Ordered, That the Committee appointed on the List of the Travel and Attendance of the Members of the House, be directed to make up the same, inclusive of Monday next. Order on List.

On a Motion made and seconded, *Ordered*, That Col. *Clap*, Col. *White*, and Mr. *Bradbury*, be a Committee to examine the Laws now in Force relating to a Bounty on Killing Wolves, &c. to ascertain what that Bounty is, and Report thereon. Committee on Laws.

An engross'd Bill Intituled *An Act for Enquiring into the Rateable Estate of the Province*.

Read and *Resolved*, That the Bill pass to be Enacted. And Bill enacted.

Ordered, That Col. *Cotton* go up with a Message to the honourable Board, to desire they would be pleased to pass on the said Bill, this Forenoon, that it may be printed as soon as possible.

Who returned, that he had delivered the Message.

The Committee appointed on a Clause in the Act for providing and maintaining two Armed Vessels to Guard the Coast &c. relating to the Duty of Tonnage payable by Coasters, Reported the following Draught of a Vote ; which was read and accepted, viz. Resolve on a Clause in an Act.

Whereas it is apprehended, That the Duty of six Pence per Ton on Coasting Vessels, which proceed no farther than the Neighbouring Governments, is very heavy, and will be a great Burden and Discouragement to Trade ; It is therefore

Resolved, and *Ordered*, That Coasting Vessels, to and from the Province of *New-Hampshire* shall pay only *six Pence* per Ton by the Year, to be paid to the Impost Officer or his Deputy, the first Trip or Voyage ; and those Vessels which Coast between *Connecticut*, *Rhode-Island* or *Nova-Scotia*, and this Province, shall pay *three Pence* only per Ton each Voyage ; of which all Persons concerned are required to take Notice, and govern themselves accordingly, any other or different Order heretofore notwithstanding.

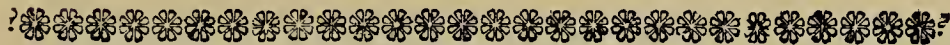
Sent up for Concurrence.

Then the House adjourn'd 'till Monday next, at nine o'Clock in the Forenoon.



VOTES

Of the House of Representatives.



Luna 25. Die Aprilis, A. D. 1757.

Ames Minot, Esq; brought down the following Vote of Council, viz. In Council April 23d 1757. Vote of Council directing the Committee of War, bro't down.

Whereas this Court have directed the Committee of War to furnish the Commissary of the Forces of this Province, under the Command of the Earl of Loudoun, with such Articles as they shall apprehend will be for the Service and Comfort of the Soldiers :

Ordered, That the Committee of War be directed and impowered to agree for such Articles on the best Terms they can, to be paid for out of the next Supply of the Treasury ; and that such of the Soldiers, who may be supplied with Cloathing or any other Articles, shall be charged therewith by the Commissary, at the prime Cost ; the Amount of which shall, when the Muster-Rolls are made up, be carried out in the Commissary Columns, and deducted from their Wages accordingly.

Sent down for Concurrence.

Read and concur'd, with the Amendment at A.

Sent up for Concurrence.

William Brattle, Esq; came down with a Message from the honourable Board, to acquaint the House, that there is no Appropriation, out of which the Treasurer can pay off the Month's Wages, ordered to be advanced to the Commission Officers of the Forces of this Province, without some further Directions from this Court ; and to desire the House would pass such Order as they shall see fit : Message from the Council.

Ordered, That *Mr. Flucker*, *Mr. Jonathan Foster*, and *Mr. James Foster*, be a Committee to take this Message under Consideration, and Report thereon. Order thereon.

The Committee appointed to examine the Laws relating to the Bounty for Killing Wolves &c. Reported the following Vote ; which was read and accepted, viz. Report of a Committee to examine Laws.

Voted, That the Premium for killing a Wolf be 30s. and no more, and for Wolves Whelps 10s. which Sums are equal to the Sums granted for that Purpose in the Year 1745.

Sent up for Concurrence.

Whereas it has been represented to the House, that some Persons that have been impressed, hired or voluntarily enlisted into his Majesty's Service, have, since their entering therein, given Notes of Hand and other Securities to their Friends or others, for Sums more than Ten Pounds, in order to their bringing forward a Suit or Suits against them Vote relating to Soldiers giving Notes of Hand, &c.

to prevent their going in said Service ; which Conduct has a Tendency to frustrate the good Intents of this Government : Therefore

Voted, That Col. Clap, Eldad Taylor, and William Richardson, Esqrs; (with such as the honourable Board shall join) be a Committee to take this Matter into Consideration, and Report what is proper for this Court to do thereon ; the Committee to sit forthwith. Sent up for Concurrence.

Report on a
Message
from the
Council.

The Committee appointed on the Message from the honourable Board of this Day, Reported according to Order : And

Thereupon Ordered, That the Treasurer be, and he is hereby, directed to pay the one Month's Advance Wages, ordered to be paid each Commission Officer on the intended Expedition, out of the Appropriation for Grants. Sent up for Concurrence.

Petition of
Sarah Hum-
phrys bro't
down.

James Minot, Esq; brought down a Petition of Sarah Humphry and others, Heirs of Ebenezer Humphry, late of Hingham, deceased, praying Liberty to make Sale of the Real Estate of the said Ebenezer, the same being incapable of a Division among the several Heirs.

Pas'd in Council, viz. In Council April 16th 1757.

Read and Ordered, That the Prayer of this Petition be so far granted, as that the said Sarah Humphry, be, and she hereby is, authorized and impowered to make Sale of the House and Lands within-mentioned, and to make and execute a good and sufficient Deed or Deeds thereof, she attending the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of Suffolk, for applying the neat Produce thereof agreeable to Law.

Sent down for Concurrence. Read and concur'd.

Report on
Petition of
Eliz. Rice.

The Committee appointed on the Petition of Robert Eastabrooks, and other Petitions of the like Import, Reported on the Petition of Elizabeth Rice.

Read, and accepted, and Ordered, That the Treasurer pay to John Murray, Esq; for the Use of the Petitioner, the full Wages of the said Adonijah Rice, his Arms not being returned notwithstanding. Sent up for Concurrence.

Petition of
Mr. Amos
Fuller.

A Petition of Mr. Amos Fuller, Representative for the Town of Needham, praying in Behalf of said Town, that Part of the late Inhabitants of Nova-Scotia, ordered there by this Court, may be removed to some other Town in the Province, they having (as they apprehend) a greater Number than their proper Proportion of said Inhabitants.

Read and Ordered, That Mr. Gibbs of Newton, Benjamin Reed, Esq; and Mr. Heath, take this Petition under Consideration, and Report thereon.

Letter from
Lord Loudoun
bro't
down.

Mr. Secretary Oliver brought down a Letter from the Right Hon. the Earl of Loudoun, to his Majesty's Council, dated New-York, April 17th 1757. Which was read, with the other Papers accompanying the same.

Petition of
Josiah Hors-
ford brought
down.

William Brattle, Esq; brought down the Petition of Josiah Horsford, Seth Hudson, and others, as entred the 8th of January last. Pas'd in Council, viz. In Council April 25th 1757. Read and Ordered, That Timothy Woodbridge, Esq; of Stockbridge, with such

as the honourable House shall join, be a Committee to take the Petition above refer'd to, into Consideration, repair to *Hoosuck* to examine the State of the Forts there, and consider whether it be most expedient to Repair *Fort-Massachusetts*, to keep a Garrison there, and at the Block-House, or to build elsewhere ; that the said Committee enquire into the Facts alledged, hear the Parties ; and they are hereby impowred to take Evidence relative thereto on Oath. Sent down for Concurrence.

Read and concur'd, and *Moses Marcy*, and *Samuel Livermore*, Esqrs; are joined in the Affair.

A Memorial of *Dr. Miles Whitworth* of *Boston*, in the County of *Suffolk*, shewing that he was appointed on the 15th of *Febr.* last, Chirurgion to the Forces of this Province, under the Command of his Excellency the Earl of *Loudoun*, by his Honour the late Lieut. Governour, who died before he had signed his Commission, that he has attended his Duty in said Office, by putting up Medicines, and taking Care of the Sick, &c. and praying that he may be allowed Wages from the Time of his said Appointment, to the Date of his Commission received from the Honourable his Majesty's Council. Memorial of
Dr. Whitworth.

Read and Ordered. That *Mr. Welles*, *Mr. Gibbs* of *Newton*, and *Col. Cotton*, be a Committee to consider this Petition, and Report thereon.

The Committee appointed on the Petition of *Mr. Amos Fuller*, Reported thereon. Report on
Petition of
Mr. Amos
Fuller.

Read, and accepted, and Ordered, That five of the French Inhabitants late of *Nova-Scotia*, be removed from the Town of *Needham*, to the Town of *Wrentham*, at the Charge of the Town of *Needham* ; and that the Select-Men of the Town of *Wrentham* receive the said French Persons, and govern themselves with Regard to them according to Law. Sent up for Concurrence.

The Committee appointed to consider the Memorial of *Dr. Miles Whitworth*, Reported according to Order. And thereupon, Report on
Memorial of
Dr. Whitworth.

Ordered, That the Prayer of this Memorial be granted ; and that the Memorialist be allowed to be made up in the Muster-Roll, from the 15th of *February* last, the Date of his Commission notwithstanding. Sent up for Concurrence.

The Committee appointed to consider Petitions from sick Soldiers on the last Expedition against *Crown-Point*, Reported on the Petition of *Elizabeth Prichard*. Report on
Petition of
Eliz. Prichard.

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to *Mr. Thomas Clarke*, for the Use of the Petitioner, the Sum of *twenty seven Shillings and four Pence*, in full Consideration of the Expences mentioned.

Sent up for Concurrence.

The said Committee also Reported on the Petition of *Sarah Walker*. Sarah Walker

Read, and accepted, and Ordered, That there be allowed and paid out of the public Treasury to *William Richardson*, Esq; for the Use of the Petitioner, the Sum of *forty five Shillings and eight Pence*, in full Consideration of the Expences mentioned.

Sent up for Concurrence.

Post

Report on
List.

The Committee appointed on the List of the Travel and Attendance of the Members of the House, Reported according to Order. Read, examined and allowed, and *Ordered*, That the Clerk of the House certify the same accordingly.

Vote relating to Soldiers, bro't down.

John Greenleaf, Esq; brought down the following Vote, as prepared by a Committee of the two Houses, appointed to consider the Case of such Soldiers as have given their Notes for Sums of Money, in order to their being prevented from proceeding in the Service, under the Command of the Earl of *Loudoun*.

Pass'd in Council, viz. In Council *April 25th 1757.*

Whereas it is of the utmost Importance, that the several Soldiers impressed, enlisted or hired into his Majesty's Service for the intended Expedition, under the Command of the Right Hon. the Earl of Loudoun, be not detained or hindered in their proceeding on the same: It is therefore

Ordered, That no Person be taken out of the Service by any Process (unless it be for some criminal Matter) for any Debt that was not contracted before the 22d Day of *February* last: And in Case any Person in the Service aforesaid, be arrested for any such Debt, and Service made on the Body, the Creditor shall, before such Person is committed, make Oath before one of his Majesty's Justices of the Peace in the County, that the Debt was actually contracted before the said 22d Day of *February*, and was for a true and valuable Consideration. It is also further

Order thereon.

Ordered, That if any Soldier is already committed for a Debt, contracted since the said 22d Day of *February*, the Sheriff of the County where the Commitment is made, shall forthwith discharge such Soldier.

Sent down for Concurrence.

Read and concur'd.

Report on
Petition of
sick Soldiers.

The Committee appointed on Petitions from sick Soldiers on the last Expedition against *Crown-Point*, Reported on the Petitions of *Ezra Bullard*, and *Timothy Callaham*: Which were read, and the Reports accepted; and

Ordered, That there be allowed and paid out of the public Treasury to Capt *Nathanael Sumner*, for the Use of *Ezra Bullard*, the Sum of *four Pounds*; and for the Use of *Timothy Callaham*, *forty Shillings*, in full Consideration of the Expences mentioned in their Petitions.

Sent up for Concurrence.

Message to
the Council.

Ordered, That Col. *Clap* go up with a Message to the honourable Board, to acquaint them that the House have finished all Business of a public Nature that lay before them, and to desire they would do the same, that the Court may Rise as soon as possible.

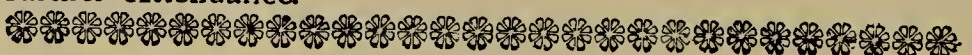
Who returned, that he had delivered the Message.

Mr. Secretary *Oliver* came down with the following Message from the Honourable his Majesty's Council, viz.

The Hon.
Council's
Dissolution
of the Court.

Gentlemen, It is the Order of his Majesty's Council, that this Great and General Court or Assembly, be Dissolved.

And then Mr. Secretary declared the said Court to be Dissolved accordingly, and the Members thereof to be discharged from any further Attendance.



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